

JANUARY 5, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, January 5, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioner Clarke was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3016, 16-3026, 16-3029, 16-3041, 16-3025 and 16-3027 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3033 CONSULT WITH ATTORNEY

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

The Board dined and talked in general. There were no formal matters to be discussed.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

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-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move Item 16-3027 Proclamation-Human Trafficking Awareness Month from Consent to Awards/Recognition.

16-3027 PROCLAMATION -- HUMAN TRAFFICKING AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a joint proclamation designating January 2016 as Human Trafficking Awareness Month in Charlotte and Mecklenburg County.

Note: According to the National Human Trafficking Resource Center, North Carolina is #10 in the United States (as of 2014), and the City of Charlotte is considered the #1 destination in North Carolina for trafficking.

A copy of the proclamation is on file with the Clerk to the Board.

The proclamation was read by Chairman Fuller and received by Mike Sexton with Mecklenburg County Community Support Services, Mark Blackwell with Justice Ministries and Angelica Bolden with Dress for Success. They each commented on efforts being made to address this issue in the community.

PUBLIC APPEARANCE

16-3030 PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

APPOINTMENTS - NONE

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

County Manager Diorio announced the ribbon cutting for the new Land Use and Environmental Services Agency (LUESA) headquarters located at 2145 Suttle Avenue on January 8 at 10:00 a.m. County Manager Diorio said the project was completed on time and under budget.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

16-3037 ATHLETIC SPORTS LIGHTING -- SOUTHWEST COMMUNITY PARK

Marcy Mars, Procurement Director presented information regarding Athletic Lighting Projects and in particular, a contract for the athletic sports lighting and installation of the lighting for two championship sized baseball fields at the upcoming Southwest Community Park. The fields will be located behind the existing Southview Recreation Center at 1720 Vilma Street.

Comments

Commissioner Dunlap asked about the selection process for obtaining a third party vendor, which was addressed.

Commissioner Dunlap asked for clarity around determining the responsiveness of a bidder, which was addressed.

Commissioner Cotham asked about the number of companies that did this type of lighting work and about the bidding process, which was addressed.

Commissioner Leake asked about the timeline for completion, which was addressed.

Commissioner Ridenhour asked about the response of vendors and about the need to rebid, which was addressed.

County Attorney Bethune addressed the statutory process associated with this type of bidding.

Commissioner Ridenhour noted the receipt of concerns from other vendors regarding the selection of Musco.

Matthew Newlon with Procurement addressed the bidding process and concerns that were raised.

Commissioner Puckett asked about the bid specifications used, which was addressed.

Mary (Kim) Reitterer, PE with Elm Engineering, Inc. addressed the technical aspects of the specifications, which she wrote. She addressed the differences in the bids received and why one was determined responsive and the other non-responsive.

Commissioner Puckett said he was now clear on why the decision was made to go with Musco. He cautioned staff, however, to not get into a long term contract with a vendor, in light of rapid changes in lighting technology. Commissioner Puckett said he would prefer looking at it on a case by case basis when the need arose.

Commissioner James commented on Musco's ability to control the lighting system and other differences between its technology and other vendors to date.

Commissioner Clarke entered the meeting.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to receive information regarding Athletic Lighting Projects as presented by staff and to award a construction contract to Musco Sports Lighting, LLC in the amount of \$729,000 for two championship sized baseball fields at the upcoming Southwest Community Park.

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**16-3043 MECKLENBURG COUNTY AND CHARLOTTE MECKLENBURG PUBLIC
LIBRARY INTERLOCAL AGREEMENT AND MEMORANDUM OF
UNDERSTANDING RENEWAL**

Deputy County Manager/Chief of Staff Chris Peek and Library Chief Executive Officer Lee Keesler, addressed the Interlocal Agreement and Memorandum of Understanding between the County and the Library.

Comments

Commissioner Leake asked for clarity around the purpose of the agreement, which was addressed.

Commissioner Scarborough questioned the involvement of representatives from the general public in the review of these documents. She said in the past there was a library committee, separate and apart from the Board of Trustees, that provided input to the Board of Trustees on various matters.

It was noted that the Library Board of Trustees represented the community.

Commissioner Scarborough said in her opinion the Library Board of Trustees lacked diversity.

CEO Keesler said he felt the Library Board of Trustees was a diverse board, but that perhaps Commissioner Scarborough was speaking of a different type of diversity. He said he would be happy to speak with Commissioner Scarborough regarding her concern.

Commissioner Scarborough expressed concern regarding persons being removed and/or banned from the library.

Commissioner Cotham suggested the Library consider having consumers on their board or someone from a non-profit that worked with individuals that were out of work and used the library as a resource for finding employment.

Commissioner Cotham said she, too, had heard from persons who had been banned from the library. She suggested the Library review its policy regarding conduct and removal from the library.

Commissioner Scarborough said she was concerned about the interlocal agreement, in particular, the section regarding Authority of the Mediator.

Commissioner Scarborough asked if a resident could be dismissed from the library and if so, for what reasons and for how long. Commissioner Scarborough said she would like to know who serves as the mediator.

Chairman Fuller noted that the section Commissioner Scarborough referred to address the mediation of differences that may occur between the County and the Library regarding the agreement and not differences between the Library and library patrons.

County Attorney Bethune addressed the mediation process pertaining to the County and the Library.

CEO Keesler addressed Commissioner Scarborough's question regarding the removal of library patrons from the library because of conduct. He noted the Library's policy regarding conduct and the appeal process.

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Commissioner Scarborough said her request was that the Library be consistent in the handling of this issue. She said she was aware of some inconsistencies and that she would follow up with CEO Keesler regarding that.

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Ridenhour voting yes and Commissioner Scarborough voting no, to adopt a resolution approving the Mecklenburg County and the Charlotte Mecklenburg Public Library Amended Interlocal Agreement.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
2016 RESOLUTION AMENDING THE
INTERLOCAL AGREEMENT
WITH THE PUBLIC LIBRARY OF CHARLOTTE
AND MECKLENBURG COUNTY**

***WHEREAS**, N.C. General Statute 160A-460, et seq., authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted to power to exercise alone, and to enter into contracts and agreements to specify the details of these undertaking; and*

***WHEREAS, THE PUBLIC LIBRARY OF CHARLOTTE AND MECKLENBURG COUNTY** (hereinafter "Library"), a body corporate created by the North Carolina General Assembly, and **MECKLENBURG COUNTY** (hereinafter "County"), a political subdivision of the State of North Carolina, negotiated and executed an Interlocal Agreement effective June 30, 2010 for the provision of Facility Management and Security Services by the County for the Library as more particularly described in the Interlocal Agreement; and*

***WHEREAS**, in 2012 the Library and the County amended the Interlocal Agreement providing for the County to provide the additional services of Capital Project Management, Human Resources, and Information Technology Services for the Library effective July 1, 2012; and*

***WHEREAS**, the Library and the County have negotiated additional changes to the Interlocal Agreement to become effective July 1, 2015; and*

***WHEREAS**, in order to formalize this relationship, the Library and the County will need to enter into an Amended Interlocal Agreement pursuant to N.C.G.S. 160A-461; now, therefore, be it*

***RESOLVED** by the Mecklenburg Board of County Commissioners, in regular session duly assembled, that that the Chairman of the Board of County Commissioners is hereby authorized to execute the Amended Interlocal Agreement with the Library in substantially the form presented to the Board, and that this Resolution shall be made a part of the minutes of the Board of Commissioners.*

Resolution/Agreement recorded in full in Minute Book _____, Document # _____.

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3049 BOARD COMMITTEES (CHAIRMAN FULLER)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to re-affirm the following Board committees for calendar year 2016:

- 1) Economic Development Committee
- 2) Health and Human Services Committee
- 3) Intergovernmental Relations Committee

- 4) Performance Review Committee
- 5) Audit Review Committee

Note: The Board's Policy and Standard Operating Procedures for Board Committees states at its first regular meeting in January each year, the Board will establish, re-affirm or dissolve standing committees as determined by a majority vote of the Board. The policy also states the Board Chairman will appoint members and the chairs of the standing committees for one-year terms, or until the Board re-affirms or dissolves the standing committee.

16-3051 CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CRTPO) (COMMISSIONER PUCKETT)

Commissioner Puckett addressed the need for the Board to direct its representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO), as allowed per Board policy, on how to vote at the next meeting of the CRTPO.

Note: The Board's representative on the CRTPO was Commissioner Clarke. Commissioner Puckett was the alternate.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough, to direct the Board's representative and/or alternate to vote, at the next meeting of the Charlotte Regional Transportation Planning Organization (CRTPO), to pull or support pulling the I-77 contract out of the approved Transportation Improvement Program (TIP) and ask that it be cancelled; and that the project then be placed in the current funding process to be scored and managed as per the North Carolina Department of Transportation (NCDOT) recommendation; such that it is consistent with all regional management plans; and should the vote for whatever reason be to only offering the affirmative of toll managed lanes as the best method of road funding as currently outlined, we vote no as to the affirmation.

Commissioner Puckett spoke in opposition to the I-77 toll road project in the northern part of the county. Commissioner Puckett noted the following:

- Governor McCrory sent this matter back to the CRTPO, which Commissioner Puckett said was unfortunate.
- Per the CRTPO weighing system, it effectively meant, Charlotte City Council's vote would determine the outcome because of the number of votes it had.
- This was a matter that should have been handled by the Governor via executive order and through the NC Department of Transportation.
- The contract in question was between the vendor and the State and not Charlotte City Council or the CRTPO.
- Individuals in opposition to this process, ability to speak to this matter was limited.
- A brief history was given of how things got to this point.
- Congestion was addressed. It was noted that the area around this portion of I-77 (north Mecklenburg County and south Iredell County) since 1990 had grown 533% and that "not one single new lane had been added."
- Adding the toll lane only adds capacity by 20%, but it does not add capacity for the people that live in Huntersville, Cornelius, or Davidson and to a lesser degree Mooresville because of the design.
- The toll lane would not help congestion because you can't functionally use the toll lane and get around in that part of the county.
- NCDOT was now saying that this was not about a congestion issue, but that this was an alternative.
- For those in District 1, this was not an option, since they can't use the toll lane by design.

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- This was an option that would allow people “with money” to take advantage of, because of the potential cost associated with using the toll lane.
- It’s his understanding that the design being used was not done by NCDOT, but the City of Charlotte’s DOT.
- Initially it was said the I-77 project could not be pulled from the TIP, however, it’s his understanding that per state statute an individual project can be removed. Thus, the TIP can be altered and it would not jeopardize the other projects.
- This project should be pulled and sent back to the NCDOT with the request that another solution be developed to build a road project that adds capacity and works with everything else that’s approved in the TIP.
- If you’re in the transportation business you should be able to make adjustments.
- The cost to get out of the contract keeps fluctuating.
- In the long run money would be saved if the contract was cancelled.
- Charlotte City Council was encouraged to remember who their partners were, Mecklenburg County and the residents of north Mecklenburg.
- Charlotte City Council was encouraged to vote for the removal of this project.
- Commissioner Puckett said there was a difference between managed lanes and a P3.

Ned Curran, Chairman of the N.C. Board of Transportation, Warren Cooksey with the N.C. Department of Transportation and Scott Cole with the N.C. Department of Transportation were present and appeared before the Board.

Mr. Curran noted the following in response to Commissioner Puckett’s remarks:

- This was a congestion solution, per the NCDOT.
- It was not said that you could not take a project out of the State Transportation Improvement Program (STIP). The confusion about this probably related to the action by the MPO late last summer. It was noted that what was said was the STIP, a 10-year list of projects, had to conform with the same list of projects that the state previously passed and then conform with the USDOT Plan.
- Once the STIP was passed then a project could be removed.
- Charlotte DOT did not do the design. It was a design build facility.
- Charlotte DOT, as well as, NCDOT was weighing in on the design as that project was let.
- He was not aware of the amounts of \$15 million to \$300 million referenced by Commissioner Puckett regarding information from the State Auditor around what it would cost to cancel the contract.
- He was “perplexed” by the statement that money would be saved if the contract was cancelled.
- If the contract was cancelled the state would have to pay a cancellation fee. The amount of that fee would not be known until the actual time of the cancellation.
- Several projects that were a part of the bonus funded projects would go away because the projects would no longer qualify. About 17 projects were noted that would not occur if the contract was cancelled, many of those projects were in north Mecklenburg.
- Mr. Curran commented on the benefit of a transportation “system” to a region.
- Mr. Curran said the Governor asked for the “opinion” of the local area and that he asked it of a body that had 24 municipalities represented on it, CRTPO.
- The City of Charlotte dominates in voting but it does not control the CRTPO.
- He concurred that for decades this area of the state had not gotten a share of the resources that’s commensurate with its growth.
- As a result of growth, additional tools were needed to address congestion. “It can’t just be about adding lanes,” because experience showed that added lanes “simply fill up.”
- Managed lanes for this particular corridor were the result of a decade long study of the area that came out and recommended not just managed lanes for this corridor but others as well.

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- There were more lane miles proposed for this type of solution in the City of Charlotte than outside the City of Charlotte. I-77 was just the first portion to be implemented.
- The Governor asked CRTPO to decide whether or not this regional, system-wide strategy was something that CRTPO still wanted to do.
- The Governor was not weighing in saying he had all the answers, all the solutions.
- The Governor wanted to hear from that body that was appropriately constituted to make transportation decisions, CRTPO. If they want to abandon it, then we would re-tool and work through what it would take to come up with another comprehensive strategy for the region, but that's not corridor specific.
- What it means was that if we're not going to proceed with managed lanes, the optional toll road option, then we shouldn't proceed on any of these lanes.

Comments

Commissioner Leake asked why wasn't a company from the U.S. selected for the construction project. The company selected was headquartered in Spain. She expressed concern about the employment of individuals from the region. *Mr. Curran commented on the company's experience with this type of project.*

Commissioner Dunlap noted his opposition to tolls in general. Commissioner Dunlap said he wished the TIP could be a separate issue, because he would not want to sacrifice all the other road projects in Mecklenburg County and in the state for the toll road project.

Commissioner Cotham said she was not opposed to toll roads, but that she was opposed to this particular project because of the 50 year contract with Cintra.

Commissioner Cotham expressed concern for the reputation of the company, as well as, monies going to Spain versus those dollars remaining in the U.S.

She also expressed her concurrence with the concerns expressed by residents of north Mecklenburg.

Commissioner Ridenhour asked about the widening of roads as it related to relieving congestion, which was addressed.

Commissioner James said communication had appeared to be a major problem with this issue.

Commissioner James said he didn't think you should cancel the entire transportation plan because of this one project. He said there was an obligation, however, to try and fix the public perception or the reality of what you're dealing with.

Commissioner James said a solution was needed that brought some level of satisfaction to all parties involved.

Commissioner James said he'd like to know from the Governor was it possible to find some sort of extraordinary funding. Also, was it possible to see if there was something else the company wanted that would allow the other lanes to be built.

Commissioner James said it may be too costly to cancel the contract with the company but perhaps there were some areas that could be negotiated, for example the 50 year deal.

Commissioner James said he was supportive of taking a second look at the I-77 Toll Road Project, but he was not supportive of cancelling the transportation plan.

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Commissioner Clarke said although the Board would be taking action to direct his vote at the upcoming CRTPO meeting, the agenda for that meeting had not been prepared or distributed to date.

Commissioner Clarke referenced a letter that he shared with the Board awhile back that was from the Governor, dated December 14, 2015 that addressed what CRTPO was being asked to do.

Commissioner Clarke said the Governor asked the CRTPO to “reaffirm the current strategy for the Charlotte Metropolitan Region at your next meeting or reverse your previous decision, setting in the motion the necessary steps to create a new regional transportation plan.”

Commissioner Clarke said what the Governor was referring to by “the current strategy” was the long term strategy that had been proposed which includes managed lanes on I-77 north and I-485 south and on U.S. 74.

Commissioner Clarke said to his knowledge that would be the question before CRTPO at its next meeting.

Commissioner Clarke said based on Commissioner Puckett’s motion, it appeared that the Board would be directing him to vote against “reaffirming the current strategy,” or if the agenda item was a vote to cancel the I-77 contract that he vote to cancel it.

Commissioner Puckett said Commissioner Clarke’s assumption was correct.

Commissioner Clarke said he would follow the Board’s directive but that he did not think this was the way to do things.

Commissioner Clarke said the CRTPO told the NCDOT for at least the last four or five years that it was supportive of this strategy as evidenced by votes that had occurred and to come now after the contract had been signed, to now say you want to “pull the plug” on the whole thing, wasn’t being a good partner.

Commissioner Clarke said this was not the way to accomplish what was needed for the entire region. He said this strategy had been thought out and worked on for a long time.

Commissioner Puckett said he was asking that the contract be cancelled and that the project be returned to the NCDOT for them to score and manage per their recommendation. He said it’s possible that the NCDOT would come back and say managed lanes was the answer.

Commissioner Puckett said there was a big difference between managed lanes owned and operated by the state of N.C versus managed lanes given to a foreign company for fifty years.

Commissioner Puckett said he was not offering an alternative plan, because he was not the person to do that. He said coming up with an alternative plan was something that the NCDOT would and should be able to do.

Commissioner Puckett asked had it been determined that 74 and 485 would definitively be managed lanes. *Mr. Curran said those roads were currently in the STIP as managed lane projects.*

Mr. Curran said what the Governor had asked was whether or not the strategy of managed lanes for the region was affirmed or turned back.

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Mr. Curran said if the answer was that the managed lanes strategy was no longer wanted, then all of the projects that had managed lanes would be pulled back.

Commissioner Puckett said it was the Governor who was saying “all or nothing,” and not him.

Commissioner Puckett said if the argument could be made that managed lanes were the way to go, then the question was about who manages the lanes. He said part of his concern was giving away right-of-way for fifty years to a company that you have to negotiate with. He said if the state maintains its right-of-ways and said managed lanes was a good idea and down the road decided it wasn't, then the state could change it and still own it without any negotiating.

Commissioner Puckett said other parts of 77 had been widened over the years, as well as 74 and that 485 had been built, but nothing had occurred 77 north.

Commissioner Dunlap said he would not want Commissioner Clarke's vote to put the Board in the position of creating inequities, such that the Board would be saying it's okay to have tolls in one area of the county but not in another.

Commissioner Puckett restated his motion as noted below.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough, that the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to support a vote to pull the I-77 contract out of the TIP and ask that it be cancelled and that the project then be placed in the current funding processes to be scored and managed, as per the NCDOT recommendations, such that it was consistent with all regional management plans.

Chairman Fuller said he understood the concerns of residents in the northern part of the County.

Chairman Fuller said he was “disappointed” in the Governor's approach to “ask us to say aye or nay to the strategy,” rather than addressing the issues of the people in the northern part of the county.

Chairman Fuller said the goal needed to be finding a solution that worked, instead of trying to “ram things down people's throats.”

Chairman Fuller said perhaps people did say yes to this strategy four years ago, but now they weren't.

Chairman Fuller said if the problem was with the contract or the way that the plan was put together, then time should be spent making changes to those things, so that it worked for everyone.

Chairman Fuller said at the same time, he didn't think we should jeopardize projects throughout the region.

Chairman Fuller said he was not against the concept of tolls, but that the agreement with Cintra, “just doesn't seem to work.”

Chairman Fuller said he didn't think things would be as they were, had there been an acknowledgement of what people were upset about and a solution sought.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Clarke voting no, that the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to support a vote to pull the I-77 contract out of the TIP and ask that it be cancelled and that the project then be placed in the current funding processes to be scored and managed as per the NC DOT recommendations, such that it is consistent with all regional management plans.

Commissioner Puckett made a second motion as noted below if the agenda item put before the CRTPO was an “all or nothing proposition,” per the Governor’s letter.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake, that the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to vote no to managed lanes, if there was not an opportunity to cancel the I-77 contract, that if the only motion made was an all or nothing affirmation of tolls as the preferred way to expand roads in Mecklenburg County, that the Board say we do not support that as the policy.

Commissioner James questioned whether the proposed motion was necessary in light of prior votes on this matter by the Board.

Commissioner Puckett restated the motion as noted and voted on below.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Clarke voting no, that alternatively, the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to vote against a motion to reaffirm the current long term infrastructure strategy for the Charlotte Metropolitan region, which includes managed lanes and set in motion the necessary steps to create a new regional transportation plan.

Commissioner Puckett said the intent of his last motion was not to reject the entire transportation plan. He said it was up to the Governor as to how he interpreted the motion that we do not affirm managed lanes.

Prior to the last vote, Mr. Curran said if the CRTPO voted to no longer follow a strategy of managed lanes, there was a consequence, which was that projects that incorporated a managed lane element, would not go forward.

Mr. Curran said the Governor did not set the plans that were a part of the transportation plan. He said the CRTPO did that.

Mr. Curran said the Governor asked this of the CRTPO because of the strategy that informs the north project and other projects, and in response to the public’s sentiment. He said the Governor felt the CRTPO should reevaluate this policy and decide whether or not it wanted to continue to do this or not.

Mr. Curran said if it was the sentiment of the CRTPO to no longer follow that strategy, for whatever reason, then those projects do not go forward.

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Mr. Curran said if you're not going to follow that strategy, then you have to go back and re-tool and determine what those strategies were.

Note: The above was not inclusive of every comment regarding this topic but was a summary of key points.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3021 ARCHITECT SELECTION -- QUEEN'S TENNIS COMPLEX AT MARION DIEHL

Authorize the County Manager to negotiate a fee and execute a contract with Woolpert, Inc. for Architectural/Engineering Services for the Queen's Tennis Complex at Marion Diehl, and in the event that negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, C design, Inc.

16-3032 MINUTES

Approve Minutes of Regular meeting held December 15, 2015 and Closed Session held December 15 and December 1, 2015.

16-3034 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$1,673 for Asset and Facility Management and \$4,831 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3035 RIGHT-OF-WAY ABANDONMENT -- PROGRESS PARK

Authorize the County Manager to file a Right-of-Way Abandonment petition with the City of Charlotte Department of Transportation requesting closure of a portion of a 10' alley that bisects County owned property between Umstead and Parsons Streets (+/- 1,440 SF) in the Villa Heights neighborhood and to accept the closed right-of-way into County owned property at Progress Park.

16-3039 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Brenda Jackson, owner of property at 3425 Johnny Cake Lane (Tax Parcel 209-112-06), for \$375,000.
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This acquisition was being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

**16-3016 BUDGET AMENDMENT -- LAND USE & ENVIRONMENTAL SERVICES AGENCY
(REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$75,000 from N.C. Fuel Tax revenue to be used for the procurement of CROMERR-compliant software and authorize the carry-forward of any unspent funds to subsequent years until project completion.

Commissioner Leake removed this item from Consent for more public awareness.

**16-3025 GRANT APPLICATION -- JOHN D. AND CATHERINE T. MACARTHUR
FOUNDATION SAFETY AND JUSTICE CHALLENGE IMPLEMENTATION GRANT**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a grant application for funding in the amount of \$4,000,000 over two years from the John D. and Catherine T. MacArthur Foundation and if awarded, recognize, receive and appropriate such funds for the grant period.

Note: In May 2015, the John D. and Catherine T. MacArthur Foundation provided Mecklenburg County with a \$150,000 Safety + Justice Challenge planning grant to rigorously examine how our jail is being utilized and develop strategies to meet the Safety + Justice Challenge goals. These goals are to reduce incarceration without compromising public safety and to diminish ethnic and racial disproportionality and disparities across the adult criminal justice system. Mecklenburg County was one of twenty sites around the nation to be selected for this challenge. Of the twenty sites, ten sites will be selected to receive implementation funding for the next two years.

Chairman Fuller removed this item from Consent for more public awareness.

**16-3026 GRANT APPLICATION -- THE WISH YOU WELL FOUNDATION (PARK AND
RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve application for up to \$10,000 for a Wish You Well Foundation Grant and if awarded, recognize, receive and appropriate awarded funds.

Note: Mecklenburg County Park and Recreation Department is requesting approval to apply for and receive, if awarded, a Wish You Well Foundation Grant up to \$10,000 for the installation of

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an Interactive Story Walk on Mallard Creek/Clarks Creek Greenway and three (3) mobile story walk kits to be rotated throughout the county.

Commissioner Leake removed this item from Consent for more public awareness.

16-3029 GRANT APPLICATION -- GOVERNOR'S CRIME COMMISSION (SHERIFF'S OFFICE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of various grant applications offered by the N.C. Department of Public Safety - Governor's Crime Commission. These include grants for the following:

- Jail Intervention Programs - Grant will provide programs for youthful offenders to address practical life skills development and provide job seeking/keeping training that can add to a successful re-entry process.
- Gang Prevention & Intervention - Grant will provide funding to develop gang prevention and intervention initiatives.
- Specialty Docket Programs - Grant will provide an additional office staff member for the Domestic Violence Office in Civil Court to allow the essential duties of the Office to be shared and provide the necessary relief factor eliminating the need to take a Deputy Sheriff out of the field to provide coverage.
- Statewide Infrastructure and Technology Improvement Initiative - Grant will provide funding to replace the Automated Sex Offender Monitoring System (ASOM).
- Body-worn Video Cameras - State grant funds to implement a body-worn camera program in our Field Operations and Courts Division.

Commissioner Leake removed this item from Consent for more public awareness.

16-3041 LEASE EXTENSION -- DSS, CHILD SUPPORT ENFORCEMENT, AND COMMUNITY CORRECTIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a lease extension with Charlotte East, LLC for office space for DSS, Child Support Enforcement, and Community Corrections.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:32 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, January 20, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3047, 16-3048, 16-3056, 16-3058 and 16-3073 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3055 CONSULT WITH ATTORNEY

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

The Board dined and talked in general. There were no formal matters to be discussed.

Commissioner Clarke left the meeting and was absent for the remainder of the meeting.

Commissioner Clarke left to attend the Charlotte Regional Transportation Planning Organization meeting. He serves as the Board's representative.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

PUBLIC APPEARANCE

16-3053 PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

APPOINTMENTS

16-3070 NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Brent Clevenger to the Adult Care Home Community Advisory Committee for a one-year term expiring January 20, 2017.

Note: He replaces Patricia Fletcher who resigned.

AIR QUALITY COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Jeff Baker to the Air Quality Commission to fill an unexpired term, expiring August 31, 2016 as a General Public representative.

Note: He replaces Keith Long, who resigned because of other time commitments.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Harold Hester to the Building Development Commission as a Charlotte Plumbing, Heating and Cooling Contractors Association Plumbing representative and Scott Shelton as a Charlotte Plumbing, Heating and Cooling Contractors Association HVAC representative, for three-year terms expiring July 31, 2019.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and

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Scarborough voting yes, to reappoint Jeremy Stephenson to the Human Resources Advisory Committee for a three-year term expiring June 30, 2019.

Commissioners Puckett and Cotham left the dais and were away until noted in the minutes.

TRANSIT SERVICES ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Edward Jernigan to the Transit Services Advisory Committee for a three-year term expiring February 3, 2019.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint NouaChi Vang to the Women's Advisory Board for a three-year term expiring November 30, 2019.

Note: She replaces Mariana Nunez who had served two terms.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS

16-3062 AIR QUALITY COMMISSION ANNUAL REPORT

The Board received as information the Annual Report of the Air Quality Commission (AQC).

Leslie Rhodes, Director - LUESA Air Quality, AQC Chairman Peter McGrath, and AQC Vice-Chairman Marcus Hackler gave the report.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake commented on the various codes associated with the type of air quality days in 2015. She noted that this was valuable information, especially for persons with upper respiratory issues. She asked was that information shared with the School System. *It was noted that school systems received the air quality forecast that was issued by the NC Division of Air Quality. It was noted also that the County tweets air quality forecast information out and that citizens could also sign up on the County's website to receive forecasts by email or text.*

Commissioner Dunlap asked about the removal of coal ash and if the removal impacted air quality. *Director Rhodes said she could not address the status of the removal of coal ash in the community, because the County was not involved with that. Director Rhodes said the County did receive information regarding how the removal would be handled. Director Rhodes said the information received indicated that the ash would be kept wet, which meant there would not be an impact on air quality.*

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Commissioner Dunlap asked about a facility in Matthews that at one time was emitting out ash. *Director Rhodes said Commissioner Dunlap was probably referring to a medical waste incinerator and if so, the facility was now closed.*

Commissioner Puckett asked whether the County ever relocates air monitoring stations or was that something regulated by the federal government. *Director Rhodes said monitors were relocated but only if it's necessary. She said it was valuable to have permanent monitors in place because it was important to have that historical data. She noted the placement of a new monitor located off of Remount Road, which was a federally required monitor.*

Commissioner Puckett commented on a monitoring station that was located near Carowinds. *Director Rhodes said the monitor near Carowinds had been removed, but that it was the lowest monitor in the County and was well below the standard. She said it was removed because the County's lease on the property where it was located expired. Director Rhodes said monitors were not portable, which was why the County tries to identify sites that were owned and operated by the County, if possible, for the placement of monitors.*

Chairman Fuller thanked the presenters for the report.

MANAGER'S REPORT

County Manager Diorio called upon Teresa McDow, MWSBE/Economic Development Coordinator to address an outreach effort being sponsored by the County for subcontractors that may be interested in doing business with the County.

Ms. McDow noted the following:

- An information session would be held on January 28, 2016 at the Hal Marshall Services Center from 4:00 p.m. – 7:00 p.m. in the Auditorium.
- Notification of the information session was communicated through various methods.
- The upcoming projects that subcontractors would be informed about were: The Morrison Library, Medic Headquarters, and the Valerie C. Woodard Center.
- Subcontractors would have the opportunity to meet the CM@Risk and the construction managers for these projects.
- This was an outreach where subcontractors, for the first time, would have the ability to network, hear about upcoming opportunities, the trade packages, and get pre-qualified for the upcoming projects.

Comments

Commissioner Leake thanked Ms. McDow for her work, not only with the upcoming outreach, but also her work with the Small Business Consortium, which was a group initiated by Commissioner Leake several years ago.

Commissioner Cotham asked whether minority contractors could come together as one for bidding purposes. *The response was yes, joint venturing was allowed.*

Commissioner Cotham asked Ms. McDow to comment on what she felt minority contractors in the community would say if asked about the County's efforts. *Ms. McDow said the response from minority contractors would be that they felt "good" about what the County was doing. Ms. McDow said the County was out serving in the community; that minority contractors were aware of opportunities, and if assistance was needed in preparing the required documents for certification that assistance was there.*

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Commissioner Puckett said with respect to the term “minority” contractors, one thing that frustrated him was that it left out a lot of companies where there was a majority/minority employer. He noted his own company as an example of a business owned by someone White, whose employees were all African American. He said because of the owner, the employees don’t get the opportunity to work on certain projects.

Commissioner Puckett acknowledged that he could not and would not bid on a County project because that would be a conflict of interest because of his position as a commissioner.

Commissioner Puckett said he would love to see, at some point, the opportunity for companies that had an overwhelming majority of minority employees to be able to get certified as a minority contractor, unless it was already possible and he wasn’t aware of it. *Ms. McDow said the County’s policy was Minority/Women/Small Business Enterprise (MWSBE) and that the SBE would encompass those white male companies. Ms. McDow said if a company fell within the guidelines for a small business, as recommended by the Small Business Administration, then the County could do business with them. Ms. McDow said the County’s policy was all inclusive.*

Commissioner Scarborough thanked Ms. McDow for her work and in particular, her work with the Board’s Economic Development Committee.

Chairman Fuller thanked Ms. McDow for her report and all of her work, as well.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

16-3069 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly departmental management reports for January 2016.

Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3066 CHARLOTTE AREA FUND, INC. COMMUNITY SERVICES BLOCK GRANT APPLICATION

The Board received information regarding the Charlotte Area Fund, Inc. Community Services Block Grant.

Karen Brackett Browning, Executive Director was present and addressed the application. She was accompanied by Charlotte Area Fund board member Stephen Kearney.

Note: The Charlotte Area Fund (CAF) is a private, non-profit corporation and the designated community action agency serving Mecklenburg County. The agency has been providing services to the economic disadvantaged since 1963 through a variety of programs promoting self-improvement and self-sufficiency. CAF is governed by an 18-member Board of Directors

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representing public officials, the private sector and low-income citizens of the community. Current services funded by the Community Services Block Grant includes employment counseling, vocational skills training, computer training, GED preparation/basic skills upgrade, job development and placement, income management/budget counseling, nutrition assistance, and limited crisis intervention. CAF receives grant funding from a combination of Federal and State resources for agency activities. Each year, CAF provides the County an opportunity to comment on its proposed work program for the coming year, prior to submission of its grant application. The Board's representatives on the CAF are Commissioners Leake and Clarke, both of whom have selected citizens to serve on their behalf, which is permissible under the CAF By-laws. Abbie Butler and Reginald Godette are the Board's representatives. The application was received on December 23, 2015 and distributed to Commissioners for review. The Board was invited to make comments; however, none were required. To date, no comments had been received. The County does not provide any funding to CAF.

Comments

Commissioners Leake and Scarborough thanked the CAF for its work in the community.

Commissioner Dunlap asked whether clients had to do anything in exchange for the receipt of funds that they received. *CAF Executive Director Browning addressed the stipend process.*

Commissioner Cotham expressed thanks to the CAF for its work in the community.

Chairman Fuller thanked the CAF for its work in the community and noted the importance of their work as it related to providing economic opportunity the citizenry of Mecklenburg County.

Chairman Fuller asked if support services were provided to individuals that received training for a specific job, so that once they obtain a job, they're able to maintain that job. *CAF Executive Director Browning said yes and elaborated on what those support services were.*

Commissioner Leake asked was it possible for someone to receive services from the CAF, as well as, other agencies. *CAF Executive Director Browning said yes and elaborated on how the CAF worked in partnership with other agencies.*

Commissioner Scarborough asked about the CAF's work with individuals that had arrest records and if they assisted with getting those matters expunged. *CAF Executive Director Browning said they assist to the extent possible and that they often refer those individuals to the Center for Community Transition.*

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to acknowledge receipt of and support of the submission of the Charlotte Area Fund, Inc. Community Services Block Grant Application.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3045 FLEET AUCTION REVENUE

Recognize vehicle auction revenue of \$216,612.44 and appropriate to the Fleet Reserve Fund.

16-3050 GRANT APPLICATION -- CHARLOTTE OBSERVER SUMMER CAMP FUND GRANT (PARK AND RECREATION)

Approve a grant application of up to \$27,540 for a Charlotte Observer Summer Camp Grant and if awarded, recognize, receive and appropriate such funds for the grant period.

Note: The Charlotte Observer Summer Camp Fund awards grants to summer camps to provide scholarships to low-income children in grades K-12 to experience the outdoors during the summer months. Grants must be used to expand the opportunities available to low-income campers. The goals of The Charlotte Observer Summer Camp Fund are to help children develop a love of the outdoors, encourage continued learning throughout the summer, and expand children's visions of what could be. The Charlotte Observer Summer Camp Fund is grounded in the belief that low-income youth should have the opportunity to enjoy a summer outdoor camp experience that mirrors enrichment programs accessed by their middle- and upper- income peers. This grant will allow Park and Recreation staff to provide thirty-six (36) 100% scholarships to low-income children for 4 or 5 weeks of Nature Based Summer Camp. Summer camp location will be based out of Sugaw Creek Recreation Center.

16-3052 GRANT APPLICATION -- NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) - "PARKS BUILD COMMUNITY" GRANT

Approve a grant application for \$20,000 for a NRPA - "Parks Build Community" Grant and if awarded, recognize, receive and appropriate such funds for the duration of the project.

Note: The Park and Recreation Department wishes to apply for the "Parks Build Community" grant through the NRPA. The amount of the grant provided to the Grantee shall be \$20,000. Six (6) project proposals with a focus area of: Connecting Youth and Nature or Healthy Living and Access to Sports, will be submitted. A panel comprised of representatives from NRPA, Disney, ABC and ESPN will narrow the list to three potential projects. The project for which the funds will be awarded will then be determined by the results of a public on-line voting process through the "Parks Build Community" website managed by the NRPA. The six proposed projects to be submitted for consideration by the Park and Recreation Department are:

- 1. Hoskins Park Fitness Zone Workout Equipment*
- 2. Naomi Drenan Recreation Center Beginner/Urban Skate Park Equipment*
- 3. Berewick, Hickory Grove and Wallace Pruitt Recreation Centers to add nature and garden education to Fun Fitness preschool program*
- 4. Installation of educational gardens and development/implementation of age appropriate program curriculums focusing on ozone air quality, pollinator species and edible vegetables for each recreation, nature and senior center in Mecklenburg County*
- 5. McDowell Natural play area equipment and educational features*
- 6. McAlpine Creek Park Cross Country exercise equipment replacement*

16-3054 MINUTES

Approve Minutes of Regular meeting held January 5, 2016.

16-3057 AD VALOREM TAX ADVERTISEMENT

Order the advertisement of delinquent 2015 real estate and personal property taxes.

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Note: The advertisement is a notification to taxpayers of outstanding tax balances. As of January 4, 2016, \$318,048,314.68 of the \$953,302,394.59 levy remains unpaid. In accordance with NCGS 105-369(a), the governing board must order the Tax Collector to advertise the tax liens. The Tax Collector is ordered not to advertise tax bills included in approved payment arrangements as governed by Senate Bill 159 ratified by the General Assembly and Governor of North Carolina.

16-3059 APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 to add Dillon Lackey, J. Travis Johnson, S. Chad Hall, Frank H. Akers, III as Review Officers and delete David Nelson.

**AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS
TO REVIEW EACH MAP AND PLAT RECORDED IN THE
REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2**

WHEREAS, on September 16, 1997, the Mecklenburg County Board of Commissioners adopted a resolution entitled, "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; **and**

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; **and**

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. **Now, therefore,**

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Dillon Lackey, J. Travis Johnson, S. Chad Hall, Frank H. Akers, III are hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add these names.
2. David Nelson shall be deleted from the Resolution adopted on April 3, 2012.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3060 MOORESVILLE RADIO SERVICE INTERLOCAL AGREEMENT

Adopt a Resolution approving an Interlocal Agreement with Mooresville for Public Safety Radio System Interoperability and Infrastructure Services and authorize the County Manager to execute all documents necessary to implement Agreement.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT FOR RADIO
SERVICE BETWEEN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY AND THE TOWN OF
MOORESVILLE**

WHEREAS, under North Carolina General Statutes §160A-461 and §153A-445, as amended, cities and counties are authorized to enter into interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

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WHEREAS, the City of Charlotte, Town of Mooresville, and Mecklenburg County now desire to enter into an Interlocal Agreement for Radio Service, a copy of which is attached to this resolution (the “Agreement”); and

WHEREAS, the purpose of the Agreement is to ensure that the public safety agencies of the three units of local government have the communications infrastructure and regional integration to respond in a coordinated manner to local and regional emergencies; and to authorize their respective City, Town and County Managers to amend the Agreement to incorporate any future changes that the parties may agree to from time to time regarding the radio service or support provided under the Agreement, so long as such changes do not impose any costs on the County or City that are not subject to reimbursement by the Town of Mooresville.

NOW, THEREFORE, BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Agreement is hereby approved, that the County Manager is hereby authorized to execute such Agreement in substantially the form attached to this Resolution, that this Resolution shall be read into the minutes, and that the County Manager is authorized to amend the Agreement to incorporate any future changes that the Mecklenburg County Manager, the Mooresville Town Manager and Charlotte City Manager may agree to from time to time regarding the radio service or support provided under the Agreement, so long as such changes do not impose any costs on the County or City that are not subject to reimbursement by the Town of Mooresville.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3061 TAX REFUNDS

1) Approve refunds in the amount of \$10,896.99 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$2,010,407.55 and interest as statutorily required to be paid as requested by the County Assessor

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$243,007.49.

A list of the tax refund recipients is on file with the Clerk to the Board.

16-3064 FY16 & FY17 SECTION 103 CLEAN AIR ACT GRANT APPLICATION

Approve the submission of a two-year extension of the County’s CAA Section 103, Special Purpose federal grant application in the amount of \$371,668 and upon award of grant, recognize, receive and appropriate the CAA Section 103 grant award; and authorize the carry forward of any unspent funds to subsequent years.

Note: Mecklenburg County’s particulate matter (PM 2.5) network was established in 1997 and continues to be 100% funded with federal funds from a Clean Air Act (CAA), Section 103 grant through the U.S. Environmental Protection Agency. The funding pays for two full-time air monitoring specialists, operations, maintenance and replacement of monitoring equipment. Mecklenburg County Air Quality operates three fine particulate matter monitoring sites year-round at Garinger High School, Montclair Elementary School and Sunset Hills Golf Course. The data collected represent concentrations over a wide area and determine Mecklenburg County’s compliance with national ambient air quality standards.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3047 DONATION OF SURPLUS EQUIPMENT (LUESA)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the list of equipment (Attachment 1) as surplus, and authorize the County Manager to execute any documents necessary to donate the items to the University of North Carolina at Charlotte and Charlotte Mecklenburg Schools.

Attachment 1 Surplus Equipment

Make/Model	Description	Serial #	County ID #	Purchase Price
Automated Water Quality Monitoring Equipment				
ISCO 6712	Stormwater Sampler	203F01071	67746	\$3,377
ISCO 6712	Stormwater Sampler	203F01079	27755	\$3,377
ISCO 6712	Stormwater Sampler	203F01068	67752	\$3,377
ISCO 6712	Stormwater Sampler	203F01081	67754	\$3,377
ISCO 6712	Stormwater Sampler	202D00652	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01072	67748	\$3,377
ISCO 6712	Stormwater Sampler	203F01073	67747	\$3,377
ISCO 6712	Stormwater Sampler	203F01069	67745	\$3,377
ISCO 6712	Stormwater Sampler	202E00356	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01080	67756	\$3,377
ISCO 6712	Stormwater Sampler	202E00357	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203D00267	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203D01287	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01076	67749	\$3,377
ISCO 6712	Stormwater Sampler	203F01070	67753	\$3,377
ISCO 6712	Stormwater Sampler	202E00357	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	202E00359	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01067	67750	\$3,377
ISCO 6712	Stormwater Sampler	203F01060	67752	\$3,377
ISCO 6712	Stormwater Sampler	203F01693	67754	\$3,377
ISCO 730	Bubbler Flow Module	204K00429	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	205E00309	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	209G00128	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	205E01452	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	205C01908	No Tag	\$1,767
ISCO 750	Area Velocity	202E00055	No Tag	\$3,085

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ISCO 750	Flow Modules Area Velocity	203E01893	No Tag	\$3,085
ISCO 750	Flow Modules Area Velocity	203E01891	No Tag	\$3,085
ISCO 750	Flow Modules Area Velocity	203E01900	No Tag	\$3,085
ISCO 750	Flow Modules Area Velocity	203E01493	No Tag	\$3,085
ISCO 750	Flow Modules Area Velocity	205C01248	No Tag	\$3,085
				\$94,885

Total Monitoring Equipment Purchase Price

GPS Units

Trimble GeoXM	GPS Unit	4717446147	No Tag	\$2,500
Trimble GeoXM	GPS Unit	4721455422	No Tag	\$2,500
Trimble GeoXM	GPS Unit	4717444525	No Tag	\$2,500
Trimble Juno SC	GPS Unit	40000111400820	No Tag	\$900

Total GPS Unit Purchase Price **\$8,400**
Total Equipment Purchase Price **\$103,285**

Note: Beginning in FY2006, EPA mandated changes in sampling protocol requiring that automated water quality monitoring equipment in use since FY1996 be replaced with new equipment. In FY2013, the use of handheld GPS units was discontinued with the purchase of I-Phones. Attachment 1 contains information regarding this surplus equipment, which is currently operational but is not of use to the Land Use and Environmental Services Agency (LUESA). Since this equipment is very specialized, it would be difficult to sell and would likely bring little financial return. Therefore, LUESA requests approval from the Board to donate this equipment to the University of North Carolina at Charlotte (UNCC) and Charlotte Mecklenburg Schools (CMS) in support of their environmental education programs. The Department of Geography and Earth Sciences at UNCC has indicated they would like to use the automated water quality monitoring equipment in their water quality research. The 6th and 7th grade classes at CMS’s Sedgefield Montessori Middle School has indicated they would like to use the GPS Units to collect spatial data related to water quality and other environmental topics.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Cotham removed the item from Consent to inquire about the value of the equipment.

LUESA Director Ebenezer Gujjarlapudi noted that the equipment’s value was almost \$0.00 because the equipment was over ten years old and no longer met EPA requirements.

16-3048 GRANT APPLICATION -- OFFICE ON VIOLENCE AGAINST WOMEN

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of renewal grant application for up to \$600,000 over three years to the U. S. Department of Justice Office on Violence Against Women to support operations of the Supervised Visitation Safe Exchange Center and provision of civil legal assistance for victims of domestic violence; and recognize, receive and appropriate funds for the amounts awarded for the duration of the grant period.

Note: The Supervised Visitation and Safe Exchange Center, which opened in November 2014, provides a secure environment for the exchange or supervised visits between children and their

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parents when there has been domestic violence in the home. The Center, which was created via a partnership between Mecklenburg County, the 26th Judicial District, and Safe Alliance, increases safety for adult and child victims of domestic violence while decreasing opportunities for further abuse before, during and after services. On average 25 families are served monthly. The grant application requires a second area of focus to promote a more coordinated response to helping families that have experienced domestic violence. The partners have identified increased civil legal assistance in custody cases as a significant need.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Scarborough noted that Mecklenburg County had “zero tolerance” for domestic violence.

16-3056 SCHOOL ADMINISTRATIVE FACILITIES CAPITAL PROJECT ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend School Administrative Facilities 2014 Capital Project Ordinance.

Note: This capital project ordinance will provide for the remaining amount due the Board of Education for the Education Center property based on the agreed upon price of \$16,330,000. This acquisition is part of the Brooklyn Village/ First Ward land swaps. The County has previously provided \$10 million toward this price and now provides the remainder, \$6.33 million. These are County funds and as such are not from capital funds previously allocated for school purposes. The Board of Education has vacated the Education Center and this payment will also serve as notice of the lease termination under the 2007 agreement.

MECKLENBURG COUNTY, NORTH CAROLINA SCHOOL ADMINISTRATIVE FACILITIES 2014 CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of the February 4, 2014 *School Administrative Facilities 2014* capital project ordinance:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY OF JANUARY 2016:

Section I. That for the purpose of providing funds, together with any other available funds, for the relocation of school administrative facilities project including the acquisition and construction or renovation of new facilities, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$16,330,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the acquisition and construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds
(including but not limited to COPs interest) \$16,330,000

Section III. That the Financial Services Director is authorized to transfer funds from the General Fund or Special Revenue Fund to provide for the Capital Projects Fund.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioner Leake removed this item from Consent for more public awareness and clarity.

Prior to the above vote, County Manager Diorio addressed this item.

Commissioner Leake noted that this was the second time the County had paid for this property.

Commissioner Scarborough asked about the status of the former Education Center building. *County Manager Diorio said an RFP was out and that developers would be submitting in February proposals for the redevelopment of the property, as well as, the Walton Plaza property.*

Commissioner Dunlap asked about the use of the proceeds by CMS. *County Manager Diorio said the Board of Education would have to use the funds for other capital projects.*

Commissioner Dunlap asked how the Board could be assured the funds would be used for capital. *County Manager Diorio said a request would be made to ask the Board of Education what the funds would be used for.*

Commissioner James said the solution to this problem was to recommend that the legislature fix a 70 year old law, so that this doesn't have to be done this way. Commissioner James said if you buy and build a building once that should be sufficient.

Commissioner James said his preference would be for the County to have title to the buildings. He said if the County had title to the buildings then the County could lease the building to CMS or Charter schools. He said by doing so, the County wouldn't have to pay for a building twice. He said if CMS didn't want the building, then the County could sell the building and/or reuse the building.

County Attorney Bethune noted that this process was not only in state law, but was a provision in the state constitution as well, which would require a change in the constitution.

Chairman Fuller said this issue was one that had been recognized and discussed by the NC Association of County Commissioners as well, but that there were consequences with changing the current system.

16-3058 NC CLEAN WATER MANAGEMENT TRUST FUND GRANT APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

1. Authorize the County Manager to submit a stream restoration grant application to the North Carolina Clean Water Management Trust Fund (CWMTF) up to an amount of \$400,000.
2. Authorize the Chairman to execute the Authorization to File Application and enter into a Grant Contract with CWMTF.
3. Upon receipt of grant, recognize, receive and appropriate up to \$400,000 in funds from the CWMTF.

Commissioner Leake removed this item from Consent for more public awareness.

Prior to the above vote, Commissioner Leake noted the current water problem in Flint, Michigan. She asked what was being done in Mecklenburg County to ensure the problem in Flint, Michigan did not occur in Mecklenburg County.

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LUESA Director Ebenezer Gujjarlapudi said the grant associated with the agenda item was for stream restoration. He said the water source for the Charlotte area was Lake Norman and that the Charlotte Water department was responsible for pumping the water, treating the water and supplying it. He said based on the sampling data, there was no concern about lead or any such contamination in Lake Norman. He said the issue in Flint, Michigan was kind of different in that they moved from where they were getting their water to another water source, the Flint River, which was not treated well, so the iron content in the water was too high.

16-3073 GRANT APPLICATION -- GOVERNOR'S CRIME COMMISSION (CJS)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application in the amount of \$121,040 from the Governor's Crime Commission and if awarded, recognize, receive and appropriate the grant funds for the grant period; and if awarded, approve the creation of one case manager position.

Note: The purpose of this grant funding will be to expand Criminal Justice Services (CJS) Reentry Services programming to provide case management support for juveniles aging out of the juvenile system and at highest risk of entering the adult correctional system. This funding also includes support services for up to 50 clients including transportation, educational and vocational support. The grant funding would be for FY17 and FY18, requiring a 25% County funding match, or \$20,173 each fiscal year. CJS will redirect current level funding to provide this match amount each fiscal year.

Commissioner Leake removed this item from Consent for more public awareness and clarity.

Prior to the above vote, Hope Marshall with Criminal Justice Services addressed the grant application in response to Commissioner Leake's inquiry.

Commissioner Leake asked, per law, was the age for being considered an adult 18. *Ms. Marshall said in the N.C. criminal justice system you're considered an adult at the age of 16.*

Commissioner Leake said she wanted to know who was responsible for overseeing the funds and what type programs there were for reaching the youth. Commissioner Leake said she wanted to know the success rate of this program also.

Ms. Marshall said the County didn't have this program to date, but had worked with one juvenile. Ms. Marshall commented on the County's work with that juvenile.

Commissioner Scarborough asked about expungement, which was addressed. Commissioner Scarborough said she would be interested in knowing information about the expungement rate.

Commissioner Cotham noted that expungement was often difficult. She suggested that perhaps at some point the Board could receive information regarding the process.

Chairman Fuller said expungement was a complicated process and that it would be good to have information regarding it.

County Manager Diorio said this could be a topic for a future Budget Public Policy Meeting.

Prior to Adjournment

Commissioner Ridenhour suggested consideration be given to addressing Consent items

differently. He said he was not criticizing the Consent items that had been pulled, but that in light of the amount of time spent discussing these items, perhaps they should not have been placed under Consent.

Chairman Fuller said perhaps consideration needed to be given to how the agenda was currently formatted. He said that was something the Board had discussed in the past.

Commissioner Leake said the Board was doing the business of the County and that the public needed to be aware of these issues. Commissioner Leake said the amount of time spent discussing an issue should not be a concern.

16-3061 TAX REFUNDS

Commissioner Puckett noted for the record, having voted in the affirmative on Item 16-3061 Tax Refunds, which was a Consent item. He requested that the Board reconsider this matter to allow him to be excused from voting on the matter to avoid a conflict of interest.

Commissioner Puckett noted for the record that he was one of the recipients of a tax refund in connection with this specific agenda item.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reconsider agenda item 16-3061 Tax Refunds.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to excuse Commissioner Puckett from voting on agenda item 16-3061 to avoid a conflict of interest.

Commissioner Puckett left the dais.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to:

1) Approve refunds in the amount of \$10,896.99 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor

Note: 1. This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$2,010,407.55 and interest as statutorily required to be paid as requested by the County Assessor

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$243,007.49.

A list of the tax refund recipients is on file with the Clerk to the Board.

Commissioner Puckett returned to the dais.

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ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:37 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

February 2, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, February 2, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3065, 16-3072, 16-3076, 16-3086, and 16-3087 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

February 2, 2016

CLOSED SESSION

16-3081 CONSULT WITH ATTORNEY

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

The Board dined and talked in general. There were no formal matters to be discussed.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3100 RESOLUTION DIRECTING FEBRUARY 7, 2016 BE OBSERVED AS #ONECAROLINA DAY

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Resolution Directing February 7, 2016 Be Observed As #OneCarolinaDay in Mecklenburg County.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
DIRECTING FEBRUARY 7, 2016
BE OBSERVED AS #ONECAROLINA DAY**

WHEREAS, the Carolina Panthers have instilled pride in our community since 1995; and

WHEREAS, the Carolina Panthers have faced and overcome adversity in their work and personal lives, and have impelled and inspired us all to do the same; and

WHEREAS, the “Keep Pounding” message from former player and coach Sam Mills continues to positively resonate in our community; and

February 2, 2016

WHEREAS, the players, coaches and owner of the Carolina Panthers are role models for our young people through their excellent character, unrelenting work ethic, and determination to win; and

WHEREAS, the Carolina Panthers are bringing a positive national spotlight on Mecklenburg County, the City of Charlotte, and #OneCarolina using the National Football League as the stage; and

WHEREAS, the Carolina Panthers are now champions of the National Football Conference; and

WHEREAS, the Carolina Panthers are playing in Super Bowl 50 on February 7, 2016, to represent the National Football Conference and #OneCarolina; and

WHEREAS, Mecklenburg County, the City of Charlotte, and both Carolinas have their Panther Pride on full display;

NOW, THEREFORE, BE IT RESOLVED, the Mecklenburg County Board of Commissioners, does hereby proclaim February 7, 2016 as

“#ONECAROLINA DAY”

in Mecklenburg County and commend its observance to all citizens, by showing their Panthers Pride on February 7, 2016, by wearing their Panthers gear or Panthers colors of black, blue and white.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

PUBLIC APPEARANCE

16-3079 PUBLIC APPEARANCE

The following persons spoke during the Public Appearance portion of the agenda:

Reverend Jordan Boyd, Dr. Sandra Burke, Sharon Ricks, and Dr. Ophelia Garmon Brown spoke in support of Village HeartBeat and expressed gratitude to the Board for its continued support of the program.

Note: “Village HeartBeat” is a Mecklenburg County Health Department Community/Faith-Based Outreach Initiative. It is designed to prevent heart disease risk factors using a collaborative, team approach that engages faith-based and/or neighborhood organizations. Efforts target African American and Hispanic communities given the disproportionately higher burden of heart disease and associated behavioral and environmental risk factors in these populations.”

February 2, 2016

Board members expressed sincere thanks to Cheryl Emanuel, a Health Manager with the Health Department for her work with Village HeartBeat, which she initiated.

APPOINTMENTS – NONE

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS

16-3101 UPDATE ON JUVENILE CRIME PREVENTION COUNCIL FUNDING PROCESS

The Board received an update on the 2016-2017 funding process for the Juvenile Crime Prevention Council.

Note: The Mecklenburg County Juvenile Crime Prevention Council (JCPC) is a statutorily authorized advisory board charged with: reviewing the needs of juveniles who commit delinquent acts or are at-risk of becoming court-involved, assessing local service needs, and presenting an annual service proposal to the Board of County Commissioners. The JCPC's mission is to address gaps in youth services by promoting prevention, intervention, treatment, and aftercare strategies and programs that strengthen families and support community safety.

Darrell Gregory, Chairman of the Juvenile Crime Prevention Council gave the update.

Comments

Commissioner Dunlap asked would persons who submit a Request for Proposal receive the guidelines and information regarding the funding process. *The response was yes.*

Commissioner Dunlap asked if the public and/or vendors had an opportunity to weigh in on the changes to the JCPC by-laws. *Mr. Gregory said the matter was discussed at an open meeting and no one asked to address the Council.*

Commissioner Leake expressed thanks to the Juvenile Crime Prevention Council for their work on behalf of juveniles.

Chairman Fuller thanked Mr. Gregory for the update.

Mr. Gregory thanked the Board for its support of the JCPC.

MANAGER'S REPORT

16-3108 FY2017 FINANCIAL FORECAST

The Board received the FY2017 Financial Forecast update.

Wanda Reeves, Director of Financial Services gave the update.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Clarke commented on the increase in the budget from FY16 to what's projected for FY17. He said it looked to be about a \$40 million difference and that of that amount \$26 million appeared to be in sales tax. He asked should that \$40 million increase be looked at with caution.

Finance Director Reeves commented on the sales tax projection and noted that the projection was \$14 million and not \$26 million. Finance Director Reeves said the numbers presented were preliminary.

Commissioner James said a two – four percent increase seemed reasonable.

Commissioner James asked about the drop in sales tax in October. *Finance Director Reeves said staff was in the process of trying to determine the reason for the drop.*

Commissioner James asked had staff completed and/or would there be any allocation of excesses from bond funds for other purposes. *Finance Director Reeves commented on the capital preservation plan.*

16-3120 FY2017 OPERATING BUDGET CALENDAR-PROPOSED KEY DATES

The Board received information on the proposed key dates for the FY2017 budget process.

Michael Bryant, Director of Budget and Management presented the dates.

February 2, 2016

It was the consensus of the Board to accept the dates proposed by staff. The dates were:

May 26, 2016	Presentation of the County Manager's Recommended Budget
June 2, 2016	Budget Public Hearing
June 9, 2016	Overview of the County Manager's Recommended Budget
June 14-15, 2016	Straw Vote Sessions
June 21, 2016	Adoption of FY2017 Operating Budget

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS

16-3091 CODE ENFORCEMENT UPDATE

The Board received an update on the ongoing efforts by the County to enhance Land Use & Environmental Services Agency (LUESA) - Code Enforcement's customer service and permitting and inspection process.

Ebenezer Gujjarlapudi, Director, Land Use and Environmental Services Agency (LUESA) gave the update.

A copy of the update is on file with the Clerk to the Board.

Comments

Commissioner Leake asked Director Gujjarlapudi to comment on what occurred in Flint, Michigan with respect to its water supply. *Director Gujjarlapudi said the lead issue found in the water supply in Flint, Michigan was not an issue for Charlotte/Mecklenburg County's water supply.*

Commissioner Puckett asked about the gaps between the County and City of Charlotte's governance and how was it being addressed. *Director Gujjarlapudi commented on that issue.*

Commissioner Ridenhour commented on the number of apartments under construction and those that were in the pipeline. *Director Gujjarlapudi said LUESA had no input into how many apartments were built or where they're built. He said LUESA's role was to issue permits for construction and to perform building inspections.*

February 2, 2016

Commissioner Ridenhour said he was curious about the vacancy rate and would probably contact the Apartment Association for that type of information.

Commissioner Ridenhour commented on the Veteran Apprenticeship Program and thanked Director Gujjarlapudi for the initiative.

Commissioner Ridenhour asked about Duke Energy's draining of the coal ash pond into Mountain Island Lake. He suggested the County issue some type of statement regarding that matter. He said he received inquiries from constituents. *Director Gujjarlapudi said the State was taking the lead on that process, but that he would get the details and share that with the Board.*

Commissioner Ridenhour asked about the permitting software to be used by the County and the City of Charlotte, which was addressed.

Commissioner Ridenhour asked about the timeline associated with the number of apartment construction projects that were in the pipeline. *Director Gujjarlapudi said the number of apartment construction projects in the pipeline information was not data from LUESA. He said the County wouldn't know until a permit was applied for. Director Gujjarlapudi said he would try to see if he could obtain more data from the Apartment Association and/or REBIC (Real Estate & Building Industry Coalition).*

Commissioner Cotham thanked Director Gujjarlapudi for the progress that had been made.

Commissioner Cotham asked about customer service training for staff, which was addressed.

Commissioner Cotham asked how a small manufacturing company would connect with code enforcement to see if a product they had met the standards. *Director Gujjarlapudi said products were regulated by statute. He asked Commissioner Cotham to give him the name of the company she was referencing and he would reach out to them regarding questions they may have.*

Chairman Fuller asked about the Veterans Apprenticeship Program and the employment status of those that had applied, prior their participation in the program, which was addressed.

Chairman Fuller thanked Director Gujjarlapudi and the County Manager for the progress that had been made and continuing to be made with respect to Land Use & Environmental Services Agency (LUESA) - Code Enforcement's customer service and permitting and inspection process.

February 2, 2016

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

Commissioner Ridenhour left the dais and was away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett and Scarborough voting yes, to approve the following item(s):

16-3067 REVISED RECORDS RETENTION AND DISPOSITION SCHEDULE (SHERIFF'S OFFICE)

Approve the revised version of the County Sheriff's Office Records Retention and Disposition Schedule as required by the Government Records Section of the North Carolina State Archives.

Note: The Government Records Section of the N.C. State Archives located within the N.C. Department of Cultural Resources has issued a revised version of the County Sheriff's Office Records Retention and Disposition Schedule. Some of the major updates to the Schedule include the following:

- Addition of an item for mobile audio/video devices*
- Removal of the dashboard camera item*
- Splitting the weapons permits into two separate items: one for concealed weapons and one for handgun permits*
- Deleting several items that are covered by other standards to avoid clutter*

A copy of the revised Schedule is on file with the Clerk to the Board.

16-3075 PURCHASE OF FOOD SERVICE EQUIPMENT (SHERIFF'S OFFICE)

Authorize the transfer of \$638,000 from Salaries to the Capital Outlay account for the purchase of critical food service replacement equipment by the Sheriff's office.

16-3078 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$11,064 for Asset and Facility Management and \$10,547 for Park and Recreation.

February 2, 2016

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3080 MINUTES FROM JANUARY 20, 2016

Approve Minutes of Regular meeting held on January 20, 2016.

16-3083 BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Recognize, receive and appropriate revenue of \$105,680 from Irongate of Mint Hill, LLC as part of defaulted bond obligations related to Irongate Subdivision and carry forward the unspent balance until project is completed.

16-3084 BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

1) Recognize, receive and appropriate revenue of \$34,000 from The Pavilion of Huntersville, LLC and Piedmont Bank (a division of Yadkin Valley Bank & Trust Company) as part of a default of bond obligations related to The Pavilion Subdivision as it relates to Glen Street and carry forward the unspent balance until project is completed.

2) Recognize, receive and appropriate revenue of \$290,602 from The Pavilion of Huntersville, LLC and Piedmont Bank (A division of Yadkin Valley Bank & Trust Company) as part of a default of bond obligations related to The Pavilion Subdivision and carry forward the unspent balance until project is completed.

16-3085 BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Recognize, receive and appropriate revenue of \$203,185 from Platte River Insurance Company as part of a default of bond obligations related to Stillwell Village Subdivision and carry forward the unspent balance until project is completed; and approve Full and Final Release which acknowledges that the County does not have any further claims against Platte River Insurance Company.

February 2, 2016

**16-3088 SUBCONTRACTOR PREQUALIFICATION, CONSTRUCTION MANAGER @ RISK
MEDIC HEADQUARTERS & OPERATIONS RELOCATION**

Approve the first-tier Subcontractor Prequalification procedure and MWSBE Plan provided by EDIFICE Construction for the Medic Headquarters & Operations Relocation.

A copy of the documents is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Ridenhour returned to the dais.

**16-3065 MOREHOUSE SCHOOL OF MEDICINE TRANSDISCIPLINARY COLLABORATIVE
CENTER GRANT (HEALTH DEPARTMENT)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a grant application for \$50,000 to the Morehouse School of Medicine Transdisciplinary Collaborative Center and; if awarded, recognize, receive, and appropriate awarded funds for the grant period.

Note: The Mecklenburg County Health Department is requesting approval to apply for funding from the Morehouse School of Medicine Transdisciplinary Collaborative Center for Health Disparities Research for the period August 1, 2016 through July 31, 2017. These funds will support the implementation of small health policy-oriented research projects targeting approximately 20 faith-based organizations to participate as strategic partners in assessing policies, systems, and environmental changes that promote healthy lifestyles and prevent chronic disease within faith-based settings.

Commissioner Leake removed this item from Consent for more public awareness and to inquire about any potential conflict with the Village HeartBeat initiative. *Dr. Marcus Plescia, Mecklenburg County Health Director said there was no conflict as the grant would augment their efforts.*

Commissioner Dunlap left the meeting and was absent for the remainder of the meeting.

February 2, 2016

16-3072 PROCLAMATION -- DECLARING FEBRUARY 2016 TEEN DATING VIOLENCE (TDV) PREVENTION AND AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a joint proclamation declaring February 2016 as Teen Dating Violence Prevention and Awareness Month in Charlotte/Mecklenburg County.

PROCLAMATION
City of Charlotte/Mecklenburg County

WHEREAS, females between the ages 16-24 are more vulnerable to intimate partner violence, experiencing abuse at a rate almost triple the national average; and

WHEREAS, one in three adolescents in the United States is a victim of physical, emotional or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth; and

WHEREAS, high school students who experience physical violence in a dating relationship are more likely to use drugs and alcohol, are at greater risk of suicide, and are much more likely to carry patterns of abuse into future relationships; and

WHEREAS, young people victimized by a dating partner are more likely to engage in risky sexual behavior and unhealthy dieting behaviors and the experience may disrupt normal development of self-esteem and body image; and

WHEREAS, nearly half of teens who experience dating violence report that incidents of abuse took place in a school building or on school grounds; and

WHEREAS, 33% of teens who are in an abusive relationship never tell anyone about the abuse, and 81% of parents surveyed either believe teen dating violence is not an issue or admit they do not know if it is one; and

WHEREAS, by providing young people with education about healthy relationships and relationship skills and by changing attitudes that support violence, we recognize that dating violence can be prevented; and

WHEREAS, it is essential to raise community awareness and to provide training for teachers, counselors, and school staff so that they may recognize when youth are exhibiting signs of dating violence; and

WHEREAS, the establishment of Teen Dating Violence Awareness and Prevention Month will benefit young people, their families, schools, and communities regardless of socioeconomic status, gender, sexual orientation or ethnicity; and

WHEREAS, everyone has the right to a safe and healthy relationship and to be free from abuse:

NOW, THEREFORE, WE, Jennifer Watson Roberts, Mayor of Charlotte, and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, February 2016 as

"TEEN DATING VIOLENCE PREVENTION AND AWARENESS MONTH"

in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.


Jennifer Watson Roberts, Mayor
City of Charlotte


Trevor M. Fuller, Chairman
Mecklenburg Board of
County Commissioners



Commissioner Leake removed this item from Consent for more public awareness.

Melissa Seigle Barrois with Community Support Services addressed the proclamation. She was joined at the podium by Ms. North Carolina and two others.

February 2, 2016

Commissioner Ridenhour asked Ms. Barrios, how youth could get involved, which was addressed.

Commissioner Leake read the proclamation.

16-3076 BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

A. Recognize, receive and appropriate Federal Home and Community Care Block Grant funding in the amount of \$11,858;

B. Reduce North Carolina Department of Transportation Community Transportation Grant appropriation in the amount of \$319,422 of which is a reduction of \$5,944 of federal revenue and \$313,478 of state revenue;

C. Recognize, receive and appropriate additional Federal IV-E Child Care Subsidy revenue of \$67,587 from the North Carolina Division of Child Development and Early Education.

Commissioner Leake removed this item from Consent for more public awareness.

16-3086 BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate a donation from Novant Health of \$12,000.

Note: Funds donated by Novant Health will be used to conduct a Health Impact Assessment (HIA) for Novant Health. HIA is a practical approach that uses data, research and stakeholder input to determine a project's impact on the health of a population and provides recommendations on how to manage identified health impacts.

Commissioner Leake removed this item from Consent for more public awareness.

February 2, 2016

**16-3087 BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE
INCREASE/DECREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize and appropriate a net increase in Health Department revenue in the amount of \$87,692.

Note: The net increase is to reflect actual state, federal and other funding changes.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:12 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

FEBRUARY 16, 2016

Revised

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, February 16, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Dunlap and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3095, 16-3098, 16-3103, 16-3114, and 16-3117 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

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**CLOSED SESSION: 16-3074 TO PREVENT DISCLOSURE OF INFORMATION THAT IS
CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(a)(1); 16-
3105 CONSULT WITH ATTORNEY**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purposes: To prevent disclosure of information that is confidential pursuant to G.S 105-259. (G.S. 143-318.11(a)(1) and Consult with Attorney.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 5:53 p.m.

Commissioners Dunlap and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to deny John M. Dwelle, Jr.'s request for refund of personal property taxes and instruct the County Attorney to inform Mr. Dwelle of the denial.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to add a Personnel Matter to the agenda and to go into Closed Session for a Personnel Matter.

The Board went into Closed Session at 5:55 p.m. and came back into Open Session at 6:10 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Note: Prior to the Pledge of Allegiance to the Flag, the Board was favored with a selection from the Charlotte Children's Choir. The choir sang the National Anthem. The Board was led in the recitation of the Pledge of Allegiance by the Boy Scouts of America St. Ann Troop #162.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

16-3102 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Kevin Strawn, a math teacher at East Mecklenburg High School, commented on the County's budget process and the challenges involved. He noted Charlotte-Mecklenburg Schools' struggle to recruit and retain teachers because of salary issues. Mr. Strawn acknowledged the state's role in the budget process. Mr. Strawn said he developed a proposal to address some of the issues that impact the budget process. *(Note: Per his comments, it's assumed that Mr. Strawn had shared his proposal with Commissioners)*. He welcomed their feedback and said he hoped his proposal could be incorporated into the County's budget process.

APPOINTMENTS

16-3125 NOMINATIONS/APPOINTMENTS

INFORMATION SERVICES AND TECHNOLOGY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint David Hill to the Information Services and Technology Committee, for a three-year term, expiring February 28, 2019.

Commissioner James nominated all applicants for additional appointment considerations: Frank Benson, Thomas B. Sheehan, and Charlotte Whiteside.

Note: Additional appointments will occur on March 1, 2016.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Leake seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Laura Wilson to the Juvenile Crime Prevention Council for a two-year term, expiring May 30, 2018. She will serve as the Faith category representative.

Note: She replaced Evelyn Mills who resigned due to health issues and since passed away.

PUBLIC HEARINGS

16-3092 BUSINESS INVESTMENT GRANT: RBUS, INC., DBA RED VENTURES

Commissioner Scarborough addressed a proposed Business Investment Program Grant to RBUS, Inc., dba Red Ventures.

Note: Red Ventures is a marketing and technology company that specializes in customer acquisitions for brands such as DirectTV and Verizon. The company utilizes online and partner marketing channels to drive telephone and online sales.

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett,

Ridenhour and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to RBUS, Inc., dba Red Ventures.

No one appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake and Scarborough voting yes, and Commissioners James, Puckett, and Ridenhour voting no, to close the public hearing, and to adopt a resolution approving a Business Investment Program grant to RBUS, Inc., dba Red Ventures for a total estimated amount of \$170,759 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR RED VENTURES**

WHEREAS, RBUS, Inc. dba Red Ventures will expand their operation in Charlotte, NC; and

WHEREAS, the company evaluated sites in South Carolina and Massachusetts; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City and County. The Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on November 17, 2015 and as authorized by the Board, the County communicated this information to the company; and

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***WHEREAS**, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$5 million and will create 500 new jobs within five years at an average annual salary of approximately \$48,930. The Business Investment Program grant is a 90% grant over 5 years, with an estimated total amount of up to \$170,759. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and*

***WHEREAS**, the Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it*

***RESOLVED** that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.*

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS

16-3111 2015 MECKLENBURG COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM YOUTH SUICIDE PREVENTION TASK FORCE REPORT

The Board received a follow-up report from the 2015 Annual Report of the Mecklenburg County Child Fatality Prevention and Protection Team.

Bob Simmons, Chair of the Mecklenburg County Child Fatality Prevention and Protection Team gave the update. He was assisted by Dr. Sharon Portwood, J.D., Ph.D with UNC Charlotte and Dr. Sarah Lovette, MPH with the County Health Department.

The following conclusions were noted:

- There is a continuing need for the suicide risk assessment process at all age and grade levels.
- The suicide risk assessment should not be limited to those children who are involved in human service systems (e.g., DSS, the courts).
- Children experience multiple risk factors that can increase their risk for suicide.
- Funding is needed to increase the number of school counselors in CMS middle schools to assess and to link students with appropriate services. *(Note: Mr. Simmons said with respect to this statement that counselors were needed in elementary schools also. He said the hope would be to have one (1) counselor for every 500 students across all age groups. Further, the hope would be to increase the number of social workers, so there*

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would be one (1) in every Title I School, as well as provide one (1) psychologist for every two (2) schools.)

- Funding is needed for School-Based Mental Health Services to create greater access to services for at-risk children and adolescents. *(Note: Mr. Simmons said with respect to this statement that per a conversation with Dr. Marion Bish, Executive Director of CMS' Student Services, no additional funding was required, because of the access and authorization the County had already provided in this area. He said it was a successful program. Further, that the hope was to expand the program, but no additional dollars were needed.)*

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Scarborough said it was important to help children prone to this behavior in any way possible.

Commissioner James asked if Mental Health, Social Services, and

Charlotte-Mecklenburg Schools, systems integrated. *Dr. Marion Bish, Executive Director of CMS' Student Services addressed the question. It was noted that there wasn't a "unified" database, however, the entities were "tightly" connected. Dr. Bish elaborated on that connectivity.*

Commissioner James asked about student access to certain apps, which was addressed by Dr. Marion Bish.

Commissioner James encouraged parents to have access to their child's phone, so that they could stay abreast of what the child was accessing.

Commissioner Ridenhour commented on apps that were available to children as well.

Commissioner Ridenhour commented on the reasons prompting an assessment and/or impacting risk level that was addressed in the report. He asked whether an assessment was done for children who experience bullying at school. *Dr. Portwood said "aspirationally" that's the goal. Dr. Portwood and Dr. Bish addressed other methods of detecting potential problems.*

Commissioner Leake commented on school counselors. Commissioner Leake said school counselors were no longer doing what they were employed to do and elaborated. She said the counselor/student ratio was not adequate.

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Commissioner Leake commented on school psychologist and the issue of bullying. She also commented on classroom management.

Chairman Fuller left the dais and was away until noted in the minutes.

Vice-Chairman Clarke chaired the meeting until noted in the minutes.

Commissioner Puckett asked how many of the 17 teens that committed suicide between 2012-2014 were CMS students. *The response was 13.*

Commissioner Puckett asked about the assessment process, which was addressed.

Chairman Fuller returned to the dais and resumed chairing the meeting.

Commissioner Cotham asked about the use of alcohol by children and about children struggling with their sexual orientation. *It was noted that sometimes data around these types of issue wasn't readily available because of privacy issues.*

Commissioner Dunlap asked about the risk factors and were they different for African American children versus other children, which was addressed. *It was noted that the data used did not show any differences in risk levels, but it did show that more African American children were being referred for assessment.*

Commissioner Dunlap asked how many of the 17 teens that committed suicide between 2012-2014 were African American. *The response was that the majority of the 17 were White and that four were African American. Dr. Lovette said she would share a recent article that she read regarding an increase in suicides by African Americans.*

Chairman Fuller thanked the presenters for their report. He said continued work was needed to determine what could be done, evidence-based solutions and proactive measures, to respond to the risk factors in order to prevent the conditions that lead to the various risk factors for children.

This concluded the presentation. The above is not inclusive of every comment but is a summary.

MANAGER'S REPORT

16-3128 CRIMINAL JUSTICE SERVICES DIRECTOR – RECRUITMENT UPDATE

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The Board received an update on recruitment for a Criminal Justice Services Director.

Carol Hickey, Senior Assistant to the County Manager/Interim Criminal Justice Services Director, gave the update.

The following was noted:

1. *The hiring target date was by end of the Fiscal Year, June 2016.*
2. *Coleman Lew & Associates, Inc., was the recruitment firm being used.*
3. *Coleman Lew & Associates would conduct a national search.*

Comments

Commissioner Leake expressed concern for the amount of time it was taking to fill the position.

County Manager Diorio said Coleman Lew & Associates, Inc., was retained after the internal recruitment process was not successful. Persons were interviewed but none met the desired

expectation of the County Manager for the position.

16-3129 FLEET MAINTENANCE REQUEST FOR PROPOSAL (RFP)

The Board received information regarding the Fleet Maintenance Request For Proposal (RFP).

Mark Hahn, Director of Asset and Facility Management, gave the update.

Comments

Chairman Fuller asked was it correct to assume that there may be some benefits, other than just cost savings, that could be achieved by having a private vendor to provide these services, rather than continuing to have the City of Charlotte perform these services. *Director Hahn said that was not the case. He said the purpose of the RFP was to “test the market.” He said the City of Charlotte would be competing as well and would likewise submit a proposal.*

Director Hahn said this was not about the services currently being provided by the City of Charlotte, but rather, looking at all of the options to determine which was the best.

Chairman Fuller said issuing the RFP then was not a reflection of “dissatisfaction” with the current services being provided. *Director Hahn said no. He said it was a matter of looking at everyone’s capabilities, cost, and their approach to service.*

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3119 DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental management reports for February 2016.

Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

16-3124 FEATURE DEPARTMENT DIRECTOR PRESENTATION: PARK AND RECREATION

The Board received as information a report from Mecklenburg County's Park and Recreation Department on its park and recreation visitation and program participation.

Jim Garges, Director of Park and Recreation, gave the report.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Clarke referenced the Matthews Sportsplex and noted concerns that had been expressed to him from constituents regarding the "inadequacy" of public park space for organized sports in the inter-city and inter-suburbs. He asked Director Garges had any thought been given to addressing that issue. *Director Garges addressed the concern.*

Commissioner Leake asked about the availability of the pool at West Charlotte High School for the upcoming summer months. *Director Garges said yes, it would be available. He said it was currently one of the Saturday free year round swim sites.*

Commissioner Leake said she hoped the concerns with respect to the Eastway Regional Park were being addressed.

Commissioner Dunlap addressed the need for facilities close to downtown where persons could participate in organized sports, as noted by Commissioner Clarke. Commissioner Dunlap said the parks currently downtown were more "passive."

Commissioner Dunlap noted that the County was “quickly” loosing land close to downtown.

Commissioner Dunlap expressed concerns of residents in the Eastway Regional Park area. He said residents had been waiting for twelve years for the completion of the park and that they were tired of waiting. He said the Board would be hearing from them.

STAFF REPORTS & REQUESTS

16-3121 INDEPENDENT STATISTICAL REVIEW OF THE 2011 REVALUATIONS

The Board received a report on the results of the Independent Review of the 2011 Revaluations conducted by Mecklenburg County and Pearson Appraisal Services.

Ken Joyner, County Assessor, and Josh Myers of Josh Myers Valuation Solutions, gave the report.

Key Findings

- **Ratio Study:**
 - The Pearson 2011 Values met all IAAO Ratio Study Standards.
 - The Original and Pre-Review 2011 Values met all IAAO Ratio Study Standards, except for the fact that selective reappraisal is suspected in the stratum of Residential Detached properties built prior to 1970.
 - Each set of Values was under-assessed with respect to the market in every stratum, although each was still within IAAO Standards.
- **Percent Change Analysis:**
 - The changes made during the 2011 appeals period tended to be in vacant land and commercial properties. The changes made by Pearson tended to be in residential properties. Both sets of changes tended to be reductions.
 - Many more properties were changed by Pearson than during the 2011 appeals period, but the changes tended to be smaller.
 - The total value reduction in the 2011 appeals period was more than twice that of Pearson.
- **Accuracy Comparison:**
 - While the overall accuracy of the Pre-Review 2011 Values is statistically better than the Original 2011 Values and the Pearson 2011 Values, the difference is not practically meaningful.

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- The changes brought about by the Pearson 2011 Values did not have a significant affect on overall valuation accuracy.

A copy of the report is on file with the Clerk of the Board.

Comments

Commissioner James asked about the total number of refunds, per the 2011 Revaluation being done again. *County Assessor Joyner said the total number of refunds was \$99.9 million, but when you took out the discoveries, the net amount was \$74 million.*

Commissioner James described the 2011 Revaluation as follows: There was a problem. It was identified and corrected, which resulted in refunds being given. The overall accuracy, however, of the Pre-Review values (which occurred after the original review in this particular instance) was statistically better than the original 2011 values (those that the County adjusted) and the Pearson values.

Mr. Myers, in response to Commissioner James' statement said that was "essentially" right. He noted, however, that his comparison was with the sales price from 2009 – 2010. He said he did not go through and do a parcel by parcel analysis of equity.

Commissioner James said he didn't know the amount identified by the County in refunds from the Pre-Review versus what was identified by Pearson, but that it should be noted that Pearson did other things as well to help the County fix the problem.

Commissioner James questioned whether the County could have done this on its own by taking the Pre-Review values. He said in his opinion the County could not have done so and needed assistance.

County Assessor Joyner said it should be kept in mind that a lot of the refunds that added up as part of the Revaluation review process were illegal prior to the Special legislation that called for the SL 362 project that allowed for those retroactive refunds to actually be done.

County Assessor Joyner said for him, the report from Mr. Myers spoke "volumes." He said when you look at the numbers, for him it meant the 2011 Revaluation had lots of issues, but the "biggest" thing that didn't take place was the County responding to citizens at that point. He said going forward that would not be the case. He said staff was already working to ensure everything was in place to handle the volume of appeals the next time, including responding to citizens in a timely manner.

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Commissioner Dunlap said the report presented by Mr. Myers, which was something he requested, “reaffirmed “what many Board members thought all along. Commissioner Dunlap described the findings of the report as follows: 1) all three reviews met the standard and 2) out of all three reviews, what the County did was “statistically better” than the Pearson review.

Commissioner Dunlap asked Mr. Myers was his statement correct and the response was yes.

Commissioner Dunlap asked how much was Pearson Appraisal Services paid. *The response was approximately \$7 million.*

Commissioner Dunlap said in his opinion the County paid Pearson Appraisal Services \$7 million to do “inferior work then what the County had already done.”

Commissioner Dunlap said for him, this was vindication for staff involved in the 2011 Revaluation.

Commissioner Puckett said the report presented by Mr. Myers showed that the 2011 Revaluation was “relatively” accurate because it was based on 2009 and 2010 sales and in light of the point in time that it was done in 2011. Commissioner Puckett said the problem was “had the economy continued at a regular pace, we probably would have not seen the drops that sort of brought the axe.”

Commissioner Puckett noted also that the delay of prior revaluation opportunities also contributed to the problem.

Commissioner Puckett asked about the over fitting of pre-1970’s homes, which was addressed.

Commissioner Ridenhour asked when the Pre-Review was done. *County Assessor Joyner addressed the question and explained the procedure that staff followed. A specific date wasn’t given, but he said it was before Pearson started its work on the SL 362 Project.*

Commissioner Ridenhour said there were numerous flaws in the 2011 Revaluation. He noted also the outcry received from residents regarding those errors.

Commissioner Ridenhour said the process the County went through to fix the problem, including using Pearson, was worth it. He said lessons were learned that would help avoid such issues going forward.

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Commissioner Clarke said the report presented by Mr. Myers showed that the County paid Pearson Appraisal Services to conduct a review of the County's values that had been adjusted through the County's normal process and that review did not have a significant effect on the overall revaluation "accuracy." Commissioner Clarke acknowledged, however, that for some residents Pearson's review made a "huge" difference.

Commissioner Clarke said doing this, however, resulted in "incredible" process improvements being made and that continued to be made.

Commissioner Leake asked when the last revaluation done, prior to 2011. *The response was 2003.*

Commissioner Leake commented on what a demanding issue this was for the County and how residents were impacted.

Commissioner Cotham commented also on the impact of the 2011 Revaluation on the community and the community's reaction to it.

Commissioner Puckett asked were there other communities that faced the challenges that Mecklenburg County did with respect to their revaluation. *Mr. Myers said he didn't know the answer to that because revaluation cycles and procedures varied across the country.*

Commissioner Puckett said having gone through this type of revaluation experience, the hope going forward was that the County would conduct revaluation on a much shorter timeframe, in terms of years between revaluations.

Commissioner Ridenhour said with respect to the report that was presented, that it would have been "great" to have a layman's summary.

Commissioner Ridenhour suggested that staff prepare an "After Action Report" that would address when the event occurred; what was supposed to have happened; what actually happened; why was there discrepancy between what should have happened and what did happen; and other questions to help analyze the situation after the fact. He said it would be a lessons learned tool.

Commissioner Ridenhour said such a report would provide information as to what happened and what would be done going forward. He said this would allow the County to bring closure on this matter and move on to the next revaluation. *County Assessor Joyner said such a report could be done once everything was completed.*

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Chairman Fuller said what he took away from the report was that the overall accuracy was there, but within that aggregate number there was a “pocket of inaccuracy.” He said the “pocket of inaccuracy” were the persons the Board heard from with respect to the 2011 Revaluation.

Chairman Fuller said he concurred with what County Assessor Joyner said when he came on board, which was that the chief problem was one of “customer service.” He said the County did not respond adequately to the concerns of the people when they first received their values.

Chairman Fuller thanked Mr. Myers and County Assessor Joyner for the report.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

Commissioner Cotham left the dais and was away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following items:

16-3104 MINUTES

Approve Minutes of Regular meeting held February 2, 2016.

16-3107 ABANDONMENT OF RIGHT-OF-WAY FOR GABLE ROAD

Set a public hearing for April 5, 2016 to hear all interested citizens who appear with respect to the abandonment of the right-of-way for Gable Road; adopt Resolution Declaring Intent To Abandon the 0.566 acre Right-of-Way and for Gable Road located near the intersection of Shopton Road and Gable Road.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO ABANDON THE 0.566 ACRE RIGHT-OF-WAY FOR GABLE ROAD LOCATED
NEAR THE INTERSECTION OF SHOPTON ROAD AND GABLE ROAD**

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WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently abandon any public road or easement within the county and not within the city except public roads or easements for public roads under the control and supervision of the North Carolina Department of Transportation and specifies the procedure to be followed; and

WHEREAS, property owners have requested that the right-of-way for Gable Road located near the intersection of Shopton Road and Gable Road be abandoned; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the abandonment of said right-of-way would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property; and has determined that the North Carolina Department of Transportation does not maintain said right-of-way; and

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does hereby declare its intent to abandon the 0.566 acre right-of-way for Gable Road located near the intersection of Shopton Road and Gable Road; as shown on the attached map and as required by G.S. 153A-241 does hereby set a public hearing on the question of whether to abandon said right-of-way on the 5th day of April 2016, in the Meeting Chamber, first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina and does hereby instruct the Clerk to the Board of Commissioners to have the intent of this resolution published once a week for three successive weeks before the hearing; and does hereby instruct the Project Manager to send or have sent by registered or certified mail a copy of this resolution to each owner as shown on the county

tax records of property adjoining said right-of-way who did not join in the request to have said right-of-way abandoned; and to have a notice of the abandonment and the public hearing posted in at least two places at said right-of-way.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3109 ARCHITECT SELECTION- BOARD OF ELECTIONS RENOVATION

Authorize the County Manager to negotiate a fee and execute a contract with C Design, Inc. for Architectural/Engineering Services for the Board of Elections Renovation, and in the event that negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Studio 01 Architecture.

16-3110 COMMODITY CONTRACT- PRE-FABRICATED BRIDGES

Award a commodity contract to Contech Engineered Solutions, LLC in the amount of \$115,570.

Note: This contract is for the design, manufacture, and delivery of two (2) pre-fabricated pedestrian bridges which will be located at the McDowell Creek Greenway and the Clark's Creek Greenway.

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16-3113 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$5,400 for Asset and Facility Management, \$12,360 for Park and Recreation and \$2,033 for Land Use and Environmental Services.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3115 APPOINTMENT OF REVIEW OFFICER

Amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2" to designate Cary C. Rodriguez as a Review Officer.

***AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS
TO REVIEW EACH MAP AND PLAT RECORDED IN THE
REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2***

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Cary C. Rodriguez is hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add this name

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

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16-3116 INTERLOCAL AGREEMENT- CORDELIA PARK CROSS CHARLOTTE TRAIL/LITTLE SUGAR CREEK GREENWAY EXTENSION

1) Adopt a resolution authorizing the County to enter into an “Interlocal Agreement” between the County and the City of Charlotte to co-fund design and construction for the two separate segments of trail within Cordelia Park. 2) Adopt FY2016 Authorization Park and Recreation Cross Charlotte Trail/Little Sugar Creek Greenway Capital Project Ordinance in the amount of \$600,000 for reimbursement by the City of Charlotte. 3) Award construction contract to Onsite Development, LLC in the amount of \$932,691.50.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING THE
INTERLOCAL AGREEMENT – CROSS CHARLOTTE TRAIL/LITTLE SUGAR CREEK GREENWAY CORDELIA PARK
EXTENSION BETWEEN THE COUNTY AND THE CITY**

WHEREAS, *The City of Charlotte and Mecklenburg County have established by a separate interlocal agreement (“Cross Charlotte Trail Interlocal Agreement”) approved by the governing bodies of each entity and previously executed by Mecklenburg County on October 6, 2015 and incorporated herein by reference; and*

WHEREAS, *the Cross Charlotte Trail Interlocal Cooperative Agreement establishes the obligations of a joint endeavor known as the Cross Charlotte Trail, which the trail will be a continuous and seamless 26-mile trail used by the public for recreation and non-motorized transportation that will span the City and County by extending and connecting existing County owned greenways; and*

WHEREAS, *the Cross Charlotte Trail Interlocal Agreement established which new segments of Trail each entity would have primary responsibility for developing, and provided for the City of Charlotte and Mecklenburg County to negotiate how and where the City of Charlotte and Mecklenburg County trail segments will join together to make the Trail continuous and seamless; and*

WHEREAS, *Cordelia Park is one of the locations where two such segments of the Trail intersect; and*

WHEREAS, *The City of Charlotte and Mecklenburg County have agreed it would be more efficient and cost-effective to fund design and construct the trail throughout the entire park as a joint project rather than building two separate segments; and*

WHEREAS, *the project will extend the Little Sugar Creek Greenway north along the creek by 1400 linear feet, cross under Parkwood Avenue Bridge and through the Cordelia Park to Davidson Street, as well as include a 700 linear foot connector from the greenway north along Davidson Street to 24th Street; and*

WHEREAS, *upon construction and final completion of the construction of both segments of trail, the City of Charlotte will reimburse Mecklenburg County for total costs associated with design and construction in a maximum amount not-to-exceed of six hundred thousand dollars (\$600,000); now, therefore be it*

RESOLVED *by the Mecklenburg County Board of Commissioners that the Interlocal Agreement – Cross Charlotte Trail-Little Sugar Creek Greenway Cordelia Park Extension as provided to the Board is hereby approved,*

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and the County Manager is hereby authorized to execute such interlocal agreement in substantially the form provide to the Board, and that this Resolution shall be spread upon the minutes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
PARK AND RECREATION –
CROSS CHARLOTTE TRAIL/LITTLE SUGAR CREEK GREENWAY
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered by Commissioner _____, who moved its adoption:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 16TH DAY OF FEBRUARY 2016:

Section I. *That for the purpose of providing funds, together with any other available funds for the following project:*

Cross Charlotte Trail/Little Sugar Creek Greenway (Cordelia Park)

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required

therefor, \$600,000 is hereby appropriated.

Section II. *That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:*

Proceeds from the City of Charlotte: \$600,000

Section III. *That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or other County capital projects funds, cash in an amount necessary to meet obligations until such time as reimbursement is provided by the City of Charlotte.*

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3118 TAX REFUNDS

1) Approve refunds in the amount of \$4,865.61 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor;

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

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2) Approve refunds in the amount of \$116,908.72 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$2,546.51.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3095 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive, and appropriate additional Medicaid Revenue for the Children's Development Services (CDSA) Program in the amount of \$98,445; and approve the creation of a Unit Supervisor position to be funded with additional Medicaid funds.

Commissioner Leake removed this item from Consent for more public awareness.

16-3098 GRANT APPLICATION – PROVIDE TRANSITIONAL HOUSING FOR VICTIMS OF DOMESTICE VIOLENCE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application in the amount of \$350,000 to the Office on Violence Against Women in the United States Department of Justice to provide transitional housing assistance to approximately twenty victims of domestic violence in Mecklenburg County; and if awarded, recognize, receive and appropriate the grant funds for the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

16-3103 BUDGET AMENDMENT– DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and

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Scarborough voting yes, to recognize, receive and appropriate \$65,000 from Casey Family Programs for the award period.

Note: This initiative is designed to prevent the need for and improve foster care by reducing the number of youth in foster care and to strengthen vulnerable families by promoting family preservation in communities of color, improving education, employment and mental health outcomes. The funds will be used to contract with a family partner agency to expand community support services and resources and provide follow-up home visits for welfare families for the period of 1/1/16 through 12/31/16.

Commissioner Leake removed this item from Consent for more public awareness.

16-3114 MATERNAL AND CHILD HEALTH INITIATIVE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application for \$500,000 per year for up to three years from the North Carolina Division of Public Health to be effective June 1, 2016;

and approve the creation of three Information/Education Coordinator positions and one Health Program Coordinator/ Supervisor position; and if awarded recognize, receive, and appropriate awarded funds for the grant period.

Note: The Mecklenburg County Health Department is requesting approval to apply for funding from the North Carolina Division of Public Health (DPH) Maternal and Child Health (MCH) Initiative for the period June 1, 2016 through May 31, 2019. These funds will be used to address maternal and child health indicators with a focus on evidence-based programs proven to lower infant mortality rates, improve birth outcomes, and improve the overall health of children ages birth to five.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Cotham returned to the dais.

16-3117 DECLINE RIGHT OF FIRST REFUSAL-CHARLOTTE MECKLENBURG SCHOOLS PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline the County's statutory right of first refusal on

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portions of Charlotte-Mecklenburg Board of Education owned Tax Parcels #201-471-02 (Kennedy Middle School), # 211-073-16 (Olde Providence Middle School) and #145-103-23 (Barring Academic Center) to allow CMBE to enter into an Interlocal Agreement with the City of Charlotte for the installation and continued use of Google Fiber hut sites.

Note: By state statute, the County must decline its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:05 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, March 1, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
Deputy County Manager/Chief of Staff Chris Peek
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3131, 16-3138, 16-3139, 16-3140 (pulled later during the meeting), 16-3142, and 16-3144 to be removed from Consent and voted upon separately.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move Item 16-3131 Proclamation Social Work Appreciation Month from Consent to the Awards/Recognition section of the agenda.

STAFF BRIEFINGS - NONE

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CLOSED SESSION

**16-3130 - LAND ACQUISITION; 16-3135 - CONSULT WITH ATTORNEY;
16-3149 - BUSINESS LOCATION AND EXPANSION**

Prior to going into Closed Session County Attorney Bethune noted the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels: 115-091-03; 015-252-27 and 015-461-10; 031-163-03 and 031-471-09; 081-082-04, 081-082-08, and 081-082-01.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to go into Closed Session for the following purposes: Land Acquisition, Consult with Attorney and Business Location and Expansion.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:31 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Dunlap, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Note: Commissioner Leake acknowledged the passing of former Charlotte City Councilman Malachi Greene and expressed condolences to his family.

PUBLIC APPEARANCE

16-3133 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the Agenda:

Shawn Greeson, on behalf of the Mecklenburg County Metrolina Native American Association and other related Associations, informed the Board that a coalition had been formed consisting of various Native American groups, tribes, non-Native American allies, community leaders, businesses, churches, neighborhood associations and others. Mr. Greeson said the hope was to inspire the Board, as well as, Charlotte City Council to change Columbus Day to "Indigenous Peoples' Day." Mr. Greeson said "Columbus was the equivalent of Adolf Hitler to Native

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Americans.” He said it would be hard to find another “group” that had been “continually oppressed and simply forgotten about and cast aside as the Native American had.” Mr. Greeson said even if County and City offices were open on Columbus Day, there’s a still an acknowledgment of the day. He asked that the Board address this matter as soon as possible. He said the Board would receive further communications regarding this matter.

Stephani Tucker, Ashley Love, and Terrence Bamberg appeared on behalf of the National Kidney Foundation. They acknowledged the month of March as National Kidney Month and March 10, 2016, as World Kidney Day. Their purpose was to bring awareness regarding kidney disease and to make persons aware of their services.

Madison Forehand, Randolph Frierson, Erlene Lyde, Damiko Faulkner, Veronica Talton, and Linda Ingle spoke regarding the challenges Charlotte-Mecklenburg Schools faced with respect to the recruitment and retention of teachers, as well as class size issues. They also asked for support of teacher assistants, bus drivers, cafeteria workers, as well as, office staff.

Note: Commissioner Leake said she would like to know how many CMS employees, as well as, City of Charlotte employees, were receiving Public Assistance.

Commissioner Ridenhour noted that in response to the Chairman’s State of the County Address, Republican members of the Board indicated that they would be willing to consider a bond that would 1) provide CMS with funds for those things that they’ve said were priorities, 2) to build more Magnet Schools, and 3) funds would be used to provide parent identified needs in schools.

Commissioner Ridenhour said to date, no response had been received from CMS or anyone regarding that proposal.

AWARDS/RECOGNITION

16-3131 PROCLAMATION – SOCIAL WORK APPRECIATION MONTH

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation designating March 2016 as “Social Work Appreciation Month” in Mecklenburg County.

The proclamation was read by Chairman Fuller and received by Peggy Eagan, Director, Mecklenburg Department of Social Services.

Commissioner Clarke left the dais prior to the above vote and was away until noted in the

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minutes.



Commissioner Clarke returned to the dais.

APPOINTMENTS

16-3145 APPOINTMENTS

INFORMATION SERVICES AND TECHNOLOGY COMMITTEE

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The vote was taken on the following nominees for appointment consideration to the Information Services and Technology Committee:

Frank Benson	Commissioners Leake, Puckett, and Scarborough
Thomas Sheehan	Commissioners Fuller, James, Leake, Puckett, Ridenhour, and Scarborough
Charlotte Whiteside	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough

Chairman Fuller announced the appointment of Thomas Sheehan and Charlotte Whiteside to the Information Services and Technology Committee for a three-year term, expiring February 28, 2019.

They replace Bill Lynch who resigned and Paul Rossi who was no longer eligible to serve having served two full consecutive terms.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT – NONE

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS

16-3155 COMMISSIONER’S INTEREST ITEM – COUNTY FUNDED APPRENTICESHIP PROGRAM (COMMISSIONER LEAKE)

The Board received a presentation from Human Resources Director Joel Riddle and Economic Development Director Peter Zeiler in response to a topic of interest item submitted by Commissioner Leake during the preparation for the Board's Retreat held on January 27-28, 2016 with respect to a County Funded Apprenticeship program.

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Note: Commissioner Leake would like County staff to explore the option, including cost of creating an apprenticeship program for 500-1,000 at risks teenagers ages 14-18. Also, companies that receive funding via the Business Investment Grants should be required to hire teenagers that participate in the apprenticeship program.

The presentation covered the following:

- What is an Apprenticeship Program
- Current County Programs
- Program Costs
- Current Community Partnerships
- Future Opportunities

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake spoke in support of these efforts. She emphasized the importance of on the job training and making employment opportunities available.

Commissioner Ridenhour questioned whether 10,000 hours of work was indeed available. *Director Riddle acknowledged that this was an “ambitious” goal. He said more work was needed to determine the exact number of hours that would be available.*

Commissioner Ridenhour asked about the 500 proposed intern slots and how that number was derived.

Commissioner Leake said she came up with the number, which was based on the County’s population. Commissioner Leake said she was not opposed to reducing the number.

Commissioner Ridenhour said he would need more definitive information with respect to how the program would actually look before he could pledge his support of it.

Commissioner Cotham said it was “ambitious” to start something “so new, so huge.” Commissioner Cotham said as things moved forward that consideration should be given to what could really be successful, in terms of the numbers. She cautioned starting off with such high numbers.

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Commissioner Cotham asked about the Mayor's Youth Employment Program. *Director Riddle commented on the County's participation in the Mayor's program. He said the County provided funding for the program.*

Commissioner Cotham said at some point she would like to know more about the County's participation in the Mayor's program.

Commissioner Cotham asked about the Recreation Employment Corps Program, particularly about participants who were ages 14 and 15. She noted that 14 and 15 year olds had specific guidelines with respect to hours of work, location, etc. *Director Riddle said staff was aware of the guidelines and complied with them.*

Chairman Fuller thanked the presenters for the report.

16-3153 MECKLENBURG COUNTY PUBLIC HEALTH CHALLENGES

The Board received a presentation from Public Health Director, Dr. Marcus Plescia, highlighting Mecklenburg County's five biggest public health challenges in response to a topic of interest item submitted by Commissioner Clarke during the preparation for the Board's Retreat held on January 27-28, 2016 with respect to the five biggest public health challenges/issues currently facing Mecklenburg County.

Note: Commissioner Clarke asked staff to report on the five biggest public health challenges/issues currently facing Mecklenburg County and what steps were being taken and need to be taken to address them.

The following five health challenges were addressed:

- Chronic Diseases
 - Tobacco Use
 - Physical Activity and Nutrition
- Human Immunodeficiency Virus (HIV)
- Unintended Pregnancy
- Violence

A copy of the report is on file with the Clerk to the Board.

Comments

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Commissioner Scarborough expressed frustration with the “notion” that it’s the female’s responsibility when it came to preventing unintended pregnancies. Commissioner Scarborough said males had a responsibility as well.

Commissioner Scarborough said males needed to be educated as well. She requested information on what the County could do with respect to educating males.

Dr. Plescia said one of the things that needed to be done was a broad based community campaign about the importance of reducing unintended pregnancy. He said the campaign would be aimed at men and women.

Commissioner Scarborough said she would like to know if there’s any data regarding what other cities and/or counties had done or were doing to make men more responsible.

Commissioner Dunlap suggested an entire Public Policy session be dedicated to this subject, “Public Health Challenges” and that it be done prior to the Board getting into budget discussions.

Commissioner Leake addressed the role of the Health Department in addressing these types of issues.

Commissioner Clarke said public health was one of the most important responsibilities of the County.

Commissioner Clarke encouraged Dr. Plescia to consider the possibility of banning smoking in the workplace.

Commissioner Ridenhour addressed individual “freedom,” which he said was “choice.”

Commissioner Ridenhour said he would caution the Board with respect to a number of the suggestions in the report. He said a number of them “step out of the bounds of simply good ideas and ways to encourage the public to change their eating habits or smoking habits, etc.”

Commissioner Ridenhour said the suggestions “really become an authoritarian central planning method of controlling what people do.”

Commissioner Ridenhour also questioned the offering of “Long Acting Reversible Contraceptives.”

Dr. Plescia said the intent was to offer the option of “Long Active Reversible Contraceptives” to those that it made sense for, which was not everyone.

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Commissioner James asked Dr. Plescia if he had read the Center for Disease Control's recent report regarding HIV/AIDS and what was his thoughts on the report.

Dr. Plescia said he read the report. He said there were a lot of things in the report, but what staff focused on and had continued to focus on was the importance of testing and having access to treatment.

Commissioner James said if the County was going to be "serious" about reducing intended pregnancy, then the County had to be "serious about how to get to these girls and how we talk to them about not doing it."

Commissioner James said there were young girls being taken advantage of by adults, often who were family members and nothing was being done about it.

Commissioner James addressed the need to encourage people to change their behavior.

Dr. Plescia said the interventions noted in the report were all evidence-based interventions. Dr. Plescia said the impact of the interventions may not be as significant as one wanted, but they were effective.

Commissioner Cotham addressed the issue of tobacco use. Commissioner Cotham said she would like to see something with respect to prohibiting children in Foster Care being placed in a home where someone smoked. She said children in Foster Care should be in a smoke free environment. Commissioner Cotham said she would like to receive a response with respect to what could be done to accomplish that.

Commissioner Cotham said she would like to know what was being done as it related to the issuance of condoms, which was connected to the prevention of unintended pregnancy.

Commissioner Cotham also addressed food deserts.

Commissioner Puckett said it was the County's role to educate people regarding health issues. He said anything the County could do to educate people, to assist them in making informed decisions was a good thing to do and what the County should do.

Commissioner Puckett said there was a line, however, as to the County's role, when it came to trying to "force behavior" by "quasi use of the law or regulations."

Commissioner Puckett said when you start to "regulate" anything in "private areas," those areas "cease" being a private area, whether it's a home or business.

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Commissioner Puckett said he would like to have more discussion on these issues as well, including the impacts associated with these issues and interventions.

Commissioner Puckett echoed Commissioner James' concern regarding young girls being taken advantage of and nothing being done about.

Commissioner Puckett said he would also like to discuss the "enabling" part of this on the part of government.

Chairman Fuller agreed that the topic of "Public Health Challenges" in Mecklenburg County should be further discussed at a designated Public Policy meeting.

Chairman Fuller said he would like to see some specific proposals of things the County could actually do when the matter came back up for discussion.

Chairman Fuller said there was a common element among these issues, which was the connection to economic opportunity. He said sometimes these problems occurred because of the lack of economic opportunity.

Chairman Fuller in response to comments regarding individual freedoms, said there were limits to those freedoms. He said "we cannot live in a society where everybody does whatever they want to do."

Chairman Fuller thanked Dr. Plescia for the report.

The above is not inclusive of every comment but is a summary.

16-3154 REVALUATION PREPARATION UPDATE

The Board received a presentation from County Assessor, Ken Joyner, highlighting the preparation underway for the next revaluation in response to a topic of interest item submitted by Commissioner Dunlap during the preparation for the Board's Retreat held on January 27-28, 2016.

Note: Commissioner Dunlap had requested an update on the County's preparation for the next revaluation.

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County Assessor Joyner said if the Board went with staff's recommendation for the next revaluation taking place in January 2019, then the next one after that would be 2023, followed by 2025. He said this would get the County on a two-year cycle.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Dunlap noted that during the last revaluation there was a lot of concern about the value of homes in areas where there were a lot of foreclosures. He said another value concern was around homogenous neighborhoods versus others.

Commissioner Dunlap said he liked the idea of “Bringing Mecklenburg County To You” being done by the Tax Office as it related to offsite appeals/Board of Equalization and Review locations.

Commissioner Dunlap said based on what was outlined in Tax Assessor Joyner's presentation, it addressed customer service in a positive way. He said customer service was a major issue with respect to the last revaluation.

Commissioner Dunlap said he hoped when the next revaluation came up that staff would make sure the Board was well prepared also on what its role was. He noted that the Board was responsible for approving the Schedule of Values.

Commissioner Dunlap said the Board would also need a clear understanding of the revaluation process, so that when asked questions, Board members would be able to respond appropriately.

Commissioner Puckett commented on the availability of sales information on-line. *Assessor Joyner explained what sales information would be available.*

Commissioner Puckett asked if there would be a way by which areas were flagged if there had been a significant amount of change since the last time that area was reviewed. *Tax Assessor Joyner addressed how that change would be captured during the normal process of revaluation going forward.*

Commissioner Puckett said his preference was to get on a two-year revaluation schedule, noting that 2019 would be another eight years.

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Chairman Fuller said his preference was to have the next Revaluation in 2018, but that he understood staff's rationale for 2019. Chairman Fuller said if that was what it would take to get the County on a two-year schedule, then he was willing to wait.

Chairman Fuller thanked County Assessor Joyner for the report.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CLOSED SESSION 16-3130 - LAND ACQUISITION MEDIC RELOCATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

- 1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 115-091-03 (+/- 0.358 acres) located on Wilkinson Boulevard in the City of Charlotte for the relocation of MEDIC Headquarters for a purchase price of \$350,000 per acre from Southern Region Industrial Realty, Inc. (Norfolk Southern Railroad); and
- 2) Authorize the County Manager to negotiate and execute a property use agreement with Southern Region Industrial Realty, Inc., for the temporary use of Norfolk Southern's railroad right-of-way south of the future MEDIC Headquarters on Wilkinson Blvd for up to eighteen (18) months and all documents necessary to facilitate construction of the MEDIC facility.

CLOSED SESSION 16-3130 - LAND ACQUISITION GAR CREEK NATURE PRESERVE

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

- 1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 015-252-27 (+/- 32.14 acres) in the Town of Huntersville from Nisbet Capital, Limited Partnership for expansion of Gar Creek Nature Preserve for a purchase price of \$785,000; and
- 2) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 015-461-10 (+/- 14.45 acres) in the Town of Huntersville from

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Thomas and Robin McCoy for expansion of Gar Creek Nature Preserve for a purchase price of \$325,000.

CLOSED SESSION 16-3130 - LAND ACQUISITION UPPER LAKE WYLIE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 031-163-03 and 031-471-09 (+/- 84.76 acres) in the City of Charlotte's extra-territorial jurisdiction from Huntersville Investment, LLC for park, nature preserve, open space, and watershed protection for a purchase price of \$1,000,000.

CLOSED SESSION 16-3130 - LAND ACQUISITION LAND EXCHANGE

County Attorney Bethune addressed an intent to exchange property with Duke Energy Carolinas, LLC.

County Attorney Bethune informed the Board that the matter would be brought back to the Board at a later date; and that in the interim staff would conduct the community outreach that the Board requested take place.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the following items:

16-3122 PROCLAMATION – GREAT AMERICAN CLEAN UP FOR KEEP MECKLENBURG BEAUTIFUL

Adopt a Proclamation designating March 1 through May 31, 2016 as the "Great American Clean Up" in Mecklenburg County.

Note: The Great American Cleanup is the country's largest community improvement program that kicks off in more than 20,000 communities each spring. This national program engages 2

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million volunteers who take action in their communities to create positive change and lasting impact.



16-3126 BUDGET AMENDMENT – GOVERNOR’S CRIME COMMISSION - BODY-WORN CAMERA GRANT AWARD (REVENUE INCREASE)

1. Recognize, receive and appropriate funds from the N.C. Department of Public Safety, Governor's Crime Commission in the amount of \$25,659.80.
2. Recognize and appropriate local match in the amount of \$49,810.20 from Concealed Handgun Permit fees to the General Fund Grant Fund.

Note: This grant from the Governor’s Crime Commission will provide funding for the implementation of a Body Worn Camera program to be deployed in the Sheriff’s Office Field Operations and Courts Divisions.

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16-3132 HAZARD MITIGATION PROGRAM – FY16 FLOODPLAIN ACQUISITION

Accept the Offer of Sale of Real Estate from Lucy Murray Dickens owner of property at 5114 Lincrest Place (Tax Parcel 185-071-02), for \$365,000; and authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This acquisition is being done through the Charlotte-Mecklenburg Storm Water Services' Engineering & Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

16-3134 MINUTES

Approve Minutes of Regular meeting held February 16, 2016 and Closed Session held February 16, 2016.

16-3141 TAX REFUNDS

Approve refunds in the amount of \$166,677.63 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$22,866.29.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3138 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

1) Recognize, receive and appropriate funding from NC Division of Public Health (DPH) Communicable Disease Branch of \$16,065 for FY16.

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2) Approve the creation of a Case Coordinator to be fully funded with the additional and ongoing funding from DPH.

3) Recognize and appropriate \$106,826 in state and federal revenues, fees and charges.

Note: DPH has awarded the Health Department funding to support the provision of HIV medications in the community through the NC AIDS Drug Assistance program (ADAP) for needy, uninsured residents of the Charlotte-Mecklenburg Transitional Grant Area (TGA). This agreement would establish a full time case coordinator position to provide program services, assisting eligible persons with ADAP medications; outreach and training for HIV service providers. During the fiscal year, the Health Department receives notification of modified funding for programs within the department from DPH. The increase of state and federal allocations is \$86,276. Other revenue adjustments include: an increase in revenue for the Sale of Birth and Death Certificates \$20,000 and an increase of \$550 in child care workshop fees.

Commissioner Leake removed this item from Consent for more public awareness.

16-3139 GRANT APPLICATION – ACCOUNTABLE HEALTH COMMUNITY (HEALTH DEPARTMENT)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

1. Approve submission of a grant application for \$902,000 per year for up to five years from the Centers for Medicare & Medicaid Services (CMS) be effective January 1, 2017.
2. Approve the creation of one Program Manager, one Health Program Coordinator/Supervisor and one Quality and Training Specialist; and if awarded, recognize, receive, and appropriate awarded funds for the grant period.

Note: The Mecklenburg County Health Department is requesting approval to apply for funding from the Centers for Medicare and Medicaid Services (CMS) for the Accountable Health Community Grant for the period January 1, 2017 through December 31, 2021. These funds will support the implementation of a new model for connecting clinical and community-based service delivery to serve high risk Medicare and Medicaid eligible patients. The model aims to identify and address beneficiaries' health-related social needs in at least the following core areas: housing instability and quality, food insecurity, utility needs, interpersonal violence, and

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transportation needs beyond medical transportation.

Commissioner Leake removed this item from Consent for more public awareness.

16-3140 DONATION FOR PARALYMPIC SPORTS CLUB – METROLINA (PARK AND RECREATION)

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 9-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to accept and appropriate a donation of \$1,264 from Mark Oil Company/BP for the Paralympic Sports Club - Metrolina, a program of Mecklenburg County Park and Recreation/Therapeutic Recreation Section to support the Paralympic sports club efforts.

Commissioner Puckett removed this item from Consent for more public awareness.

Commissioner James left the dais and was absent for the remainder of the meeting.

16-3142 GRANT APPLICATION -- 2016 US TENNIS ASSOCIATION OF NC 10 AND UNDER EQUIPMENT GRANT (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve submission a \$1,200 grant application for a United States Tennis Association(USTA) of North Carolina matching grant to purchase youth tennis equipment and if awarded, recognize, receive and appropriate such funds.

Note: The USTA of North Carolina is offering a matching 10 and Under Equipment Grant. This grant will allow Mecklenburg County Park and Recreation to receive \$2,400 worth of equipment for an investment of \$1,200. The equipment will be used for youth lessons and clinics held at: Park Road Park, Jeff Adams Tennis Center, Freedom Park, Latta Park, Veterans Park, Colonel Francis Beatty Park, and Jetton Park.

Commissioner Leake removed this item from Consent for more public awareness.

16-3144 MECKLENBURG COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT PROGRAM – CONSOLIDATED AND ANNUAL ACTION PLAN AMENDMENT #1

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the amendment to the Five-Year Consolidated Plan 2015-2020 and FY2016 Annual Action Plan for Mecklenburg County's Community Development Block Grant (CDBG) Program.

Note: As required by the U.S. Department of Housing and Urban Development (HUD), Mecklenburg County's Five-Year Consolidated Plan 2015-2020 and FY2016 Annual Action Plan were both approved by the Board of County Commissioners. This amendment to these plans is required due to the following actions: The County's FY16-20 (HUD's Federal Fiscal Year 2015-2019) Consolidated Plan is amended to reflect the addition of the Town of Pineville as a participating member jurisdiction. The Town of Pineville's eligibility for Community Development Block Grant funding will begin in the County's FY 2016-17.

The 2015 Annual Action Plan (2015AAP) is also amended to reflect several changes that include the addition of three projects for Greater Matthews Habitat for Humanity. These projects will utilize \$90,000 from the 2015AAP allocation and \$36,000 in floating CDBG funds. These projects were originally included in the 2015AAP, however, they were removed due to a clerical error that disqualified the Town of Matthews as a member jurisdiction and reduced Mecklenburg County's annual allocation for the County's FY 2015-2016 funding cycle. This error has since been resolved, and the annual allocation has been increased to account for the Town of Matthews' participation; a total of \$103,017 has been reinstated for the 2015AAP.

Further, the Davidson-Cornelius Child Development Center Child Tuition project is receiving an allocation increase of \$21,000. This satisfies DCCDC's original funding request, which could not be fulfilled at the time of application due to lack of available funds. This additional funding was derived from several 2014AAP projects that did not fully expend project allocations. Lastly, the 2015AAP Huntersville Survey project (\$10,000) will be omitted due to an inability to certify the resulting projects from the survey would produce the required beneficiaries.

Commissioner Leake removed this item from Consent for more public awareness.

A copy of the plan is on file with the Clerk to the Board.

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ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:11 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, March 16, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioner Ridenhour was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3167, 16-3175, 16-3179, and 16-3180 to be removed from Consent and voted upon separately.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to move Items 16-3167 - Proclamation Colorectal Cancer Awareness Month and 16-3175 - Proclamation Child Abuse Prevention Month from Consent to the Awards/Recognition section of the agenda.

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STAFF BRIEFINGS – NONE

CLOSED SESSION

16-3159 CONSULT WITH ATTORNEY

16-3160 LAND ACQUISITION

Prior to going into Closed Session County Attorney Bethune noted the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels # 013-041-02, 027-141-03, 211-011-15, and 123-062-09.

It was noted there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:51 p.m.

Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Dunlap, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

Commissioner Ridenhour left the dais and was away until noted in the minutes.

16-3167 COLORECTAL CANCER AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and

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Scarborough voting yes, to adopt a proclamation designating March 2016 as Colorectal Cancer Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Puckett and received by Rebecca Cowens-Alvarado, Vice President, Health Systems, American Cancer Society, Southeast Division and Nadine Malpass, Community Engagement Director for the American Cancer Society of Charlotte.

The County was presented an award from the American Cancer Society for its leadership in the state of N.C. with respect to providing funding for various cancer screenings via the Health Department.

Chairman Fuller thanked Ms. Cowens-Alvarado and Ms. Malpass for the award.

**Mecklenburg County
North Carolina
Proclamation**

WHEREAS, colorectal cancer is the third most commonly diagnosed cancer and the second most common cause of cancer deaths for men and women in the United States; and

WHEREAS, colorectal cancer affects both men and women equally; and

WHEREAS, every 3 minutes, someone is diagnosed with colorectal cancer and every 10 minutes someone dies from colorectal cancer; and

WHEREAS, the vast majority of colon cancer deaths can be prevented through proper screening and early detection; and

WHEREAS, the survival rate of individuals who have colorectal cancer is 90 percent when detected in the early stages, versus only a 13 percent survival rate when colorectal cancer is diagnosed after it has spread to other organs; and

WHEREAS, the national goal established by the National Colorectal Roundtable is 80 percent of Americans ages 50 and older be screened by the year 2018; and

WHEREAS, if the majority of people in the United States, ages 50 and older were screened regularly for colorectal cancer, the death rate from this disease could be reduced up to 70 percent; and

WHEREAS, African-Americans, Hispanic Americans, Asian Americans, American Indians and Alaskan Natives are significantly less likely to be screened for colorectal cancer compared to Whites; and

WHEREAS, greater awareness of this cancer and the means to prevent it could save the lives of tens

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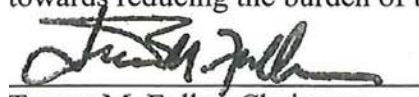
of thousands of people in the United States each year; and

WHEREAS, observing a Colorectal Cancer Awareness Month during the month of March would provide a special opportunity to offer education on the importance of early detection and screening.

NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg Board of County Commissioners does hereby proclaim March 2016 as

"COLORECTAL CANCER AWARENESS MONTH"

in Mecklenburg County and encourage all Mecklenburg County citizens to help raise awareness towards reducing the burden of this devastating disease.



Trevor M. Fuller, Chairman
Mecklenburg Board of
County Commissioners



Commissioner Ridenhour returned to the meeting.

16-3175 CHILD ABUSE PREVENTION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a Joint Proclamation declaring April 2016 as Child Abuse Prevention Month in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Leake and received by Dana Frady, District Administrator, Guardian Ad Litem Program. Ms. Frady also serves on the Mecklenburg Child Abuse Prevention Collaborative Team. Ms. Frady invited the Board, as well as, the community to attend the 2016 Child Abuse Prevention Month Press Conference on March 31, 2016 at 10:00 a.m. in front of the Courthouse.

PROCLAMATION City of Charlotte/Mecklenburg County

WHEREAS, children are vital to our state's future success, prosperity, and quality of life as well as being our most vulnerable assets; and

WHEREAS, all children deserve to have safe, stable, nurturing, and healthy homes and communities that foster their well-being; and

WHEREAS, child abuse and neglect is a public responsibility affecting both the current and future quality of life of a state; and

WHEREAS, parents need support and resources to cope with stress and nurture their children to grow to their full potential; and

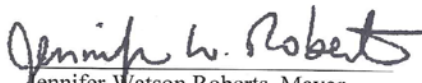
WHEREAS, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community:

NOW, THEREFORE, WE, Jennifer Watson Roberts, Mayor of Charlotte, and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 2016 as

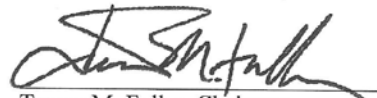
"CHILD ABUSE PREVENTION MONTH"

in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.


Jennifer Watson Roberts, Mayor
City of Charlotte




Trevor M. Fuller, Chairman
Mecklenburg Board of
County Commissioners



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PUBLIC APPEARANCE

16-3157 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Rett Liles with Teen Health Connection and student representatives from Butler High School, East Mecklenburg High School, Providence High School, and Northwest School of the Arts, invited the Board to attend a play entitled The Big Picture at the McGlohon Theater at Spirit Square on April 18, 2016 at 6:00 p.m. The Big Picture is a “dynamic multimedia play, written and performed by adolescents, that addresses the most pressing and relevant issues facing our community’s youth today.”

Ralph Gettings, a resident of Cornelius, addressed a proposed swimming beach at Ramsey Creek Park. Mr. Gettings said the Board did not fulfill its promise to have a swimming beach at Ramsey Creek Park in 2015.

Commissioner Puckett said a presentation would be made by County Park and Recreation regarding Ramsey Creek Park at the Lake Norman Chamber of Commerce building on Friday, March 18, 2016 at 8:30 a.m. Commissioner Puckett invited Mr. Gettings, as well as, other interested residents to attend.

APPOINTMENTS

16-3171 NOMINATIONS/APPOINTMENTS

BICYCLE COMMITTEE

The following persons were nominated for appointment consideration to the Bicycle Committee:

Julie Chandler	by Commissioner Ridenhour
Paul DuPont	by Commissioner Leake
Debra Franklin	by Chairman Fuller and Commissioner Cotham
Jerry Mann	by Commissioners Dunlap and Leake
Heather Seagle	by Commissioner Ridenhour
Jeffrey Wells	by Commissioner Puckett

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Note: An appointment will occur on April 5, 2016.

BOARD OF EQUALIZATION AND REVIEW (BER)

Motion was made by Commissioner Clark, seconded by Commissioner Leake, to reappoint Kathy Davis, Nobie Thrasher, Nick Vilord, and Robert “Bruce” Miller to the Board of Equalization and Review for a three-year term expiring April 16, 2019.

Commissioner Dunlap addressed the current make-up of the Board of Equalization and Review (BER). He said there were no minorities on the BER.

Commissioner Dunlap suggested the Board take advantage of the reappointment opportunity, for diversity purposes, and not reappoint everyone that was eligible for reappointment; and instead, nominate and interview qualified minority applicants to fill some or all of the upcoming available slots.

Substitute motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough, to interview all nominated applicants.

Commissioner Ridenhour questioned the Board not following its normal process of reappointing those that were eligible for reappointment.

Commissioner Puckett said he concurred about the need for diversity on the BER, as well as, on other advisory boards. Commissioner Puckett said per his review of the applicants, however, he would recommend the Board seek additional applications to ensure applicants meet the qualifications.

Commissioner Dunlap said per his review, there were applicants that would add diversity, as well as, meet the requirements.

Commissioner Cotham concurred that diversity was needed on the BER, as well as, on other advisory boards. Commissioner Cotham said the BER, however, required a specific skill set. She said it was important that anyone nominated and appointed have that needed skill set.

Commissioner James said it was the Board’s responsibility to ensure diversity on its advisory boards. He said the question before the Board was how to fix that issue with respect to the BER.

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Commissioner James said the Board would not want to send the wrong message to those that were eligible for reappointment. He noted that if those eligible for reappointment were reappointed, there was still one slot that would need to be filled by a new applicant. He said

diversity could be addressed in filling the open slot, as well as, other open slots as they became available.

Commissioner Scarborough concurred that diversity was needed on the BER. Commissioner Scarborough volunteered to serve on the Board's Ad Hoc Interview Committee.

Commissioner Leake concurred that diversity was needed on the BER. Commissioner Leake said achieving that diversity would be based on one's qualifications, which was always the case.

County Manager Diorio noted an error on the membership roster for the Board of Equalization and Review, which was, Cleve Daniels was African American and not Caucasian as indicated on the report provided to the Board.

County Attorney Bethune addressed the substitute motion and the original motion for clarity purposes.

After hearing from County Attorney Bethune, Commissioner Dunlap withdrew his substitute motion.

The vote was then taken on the original motion as follows:

Motion was made by Commissioner Clark, seconded by Commissioner Leake and failed 5-4 with Commissioners Clarke, Fuller, Dunlap, Leake, and Scarborough voting no and Commissioners Cotham, James, Puckett, and Ridenhour voting yes, to reappoint Kathy Davis, Nobie Thrasher, Nick Vilord, and Robert "Bruce" Miller to the Board of Equalization and Review for a three-year term expiring April 16, 2019.

Note: Per Board policy, it takes a unanimous vote for persons to be reappointed.

Commissioner James nominated all applicants, including those that were eligible for reappointment: Kathy Davis, Nobie Thrasher, Nick Vilord, and Robert "Bruce" Miller, Fela Babb, Steven Kessler, Irving Schwiebel, Tina Whittaker, and Sy'Donia Williams.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett,

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Ridenhour and Scarborough voting yes, to interview all nominees, including those eligible for reappointment.

The following Commissioners volunteered to serve on the Board's Ad Hoc Interview Committee for appointment considerations to the BER: Commissioners Cotham, Leake, Ridenhour, and Scarborough.

CENTRALINA ECONOMIC DEVELOPMENT COMMISSION

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Commissioner Dunlap as the Board's public sector representative on the Centralina Economic Development Commission and Robert Hillman as the Board's private sector representative for three-year terms expiring March 31, 2019.

DOMESTIC VIOLENCE ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Neil T. Bloomfield to the Domestic Violence Advisory Board to fill an unexpired term, expiring April 30, 2018. Secondly, to direct staff to continue to advertise for the remaining vacancies.

Note: He replaced Roslyn Stitt who resigned due to increased work responsibilities.

FIRE COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Harley Cook to the Fire Commission for a three-year term expiring January 30, 2019; and to reappoint Kevin Fox, Joseph Labovitz, and Don Monteith for three-year terms expiring January 30, 2019. *Note: They have served two consecutive terms, but were willing to continue since there were no applications of interest on file.*

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WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Louis Watts to the Waste Management Advisory Board for a three-year term expiring March 31, 2019.

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Connie Harris and Rita Plyler to the Waste Management Advisory Board for three-year terms, expiring March 31, 2019. *Note: They have served two consecutive terms, but were willing to continue since there were no applications of interest on file.*

ARTS AND SCIENCE COUNCIL ADVISORY COUNCILS

District One Representative

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Corie Pauling to the Arts and Science Council North/West Advisory Council as a District One representative for a two-year term, expiring June 30, 2018.

District Two Representative

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Tamara Butler to the Arts and Science Council North/West Advisory Council as a District Two representative for a two-year term, expiring June 30, 2018.

District Three Representative

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Jordan Jones to the Arts and Science Council Central Advisory Council as a District Three representative for a two-year term, expiring June 30, 2018.

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District Four Representative

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Shannon Hoff to the Arts and Science Council Central Advisory Council as a District Four representative for a two-year term, expiring June 30, 2018.

District Five Representative

Motion was made by Commissioner Ridenhour, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Kathryn Price to the Arts and Science Council South/East Advisory Council as a District Five representative for a two-year term, expiring June 30, 2018.

District Six Representative

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Howard Labiner to the Arts and Science Council South/East Advisory Council as a District Six representative for a two-year term, expiring June 30, 2018.

At-Large Representatives

North/West Advisory Council

The following persons were nominated for appointment consideration to the Arts and Science Council North/West Advisory Council, Districts 1 and 2, as an At-Large representative for a two-year term, expiring June 30, 2018:

Khary Brown	by Commissioner Scarborough
Tyler Starr	by Commissioner Puckett
Donald Nagel	by Commissioner Leake

Note: An appointment will occur on April 5, 2016.

Central Advisory Council

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Jane Dalton to the Arts and Science Council's Central Advisory Council for Districts 3 and 4, as an At-Large representative for a two-year term, expiring June 30, 2018.

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Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Vonnie Brown to the Arts and Science Council's Central Advisory Council for Districts 3 and 4, as an At-Large representative for a two-year term, expiring June 30, 2018.

South/East Advisory Council

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Sabrina Brown to the Arts and Science Council's South/East Advisory Council for Districts 5 and 6, as an At-Large representative for a two-year term, expiring June 30, 2018.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3170 UPDATE ON CENTER CITY REAL ESTATE DISPOSITION PROCESS

The Board received information from Senior Assistant to the County Manager Dennis LaCaria on the status of the disposition process related to the Brooklyn Village assemblage.

A copy of the report is on file with the Clerk to the Board.

Comments

County Manager Diorio said the evaluation committee would do their work and upon completion, make a recommendation to her. County Manager Diorio said she would then present an analysis, as well as, the pros and cons of each proposal to the Board and not a recommendation. County Manager Diorio said the final decision would be made by the Board and not staff.

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Chairman Fuller asked would a special meeting be held to receive that information and take action. *County Manager Diorio said that would be something for the Board to decide, taking into consideration, the Board's existing Budget/Public Policy Meeting schedule.*

Commissioner Dunlap asked was the reference to Park and Recreation listed in the update, the Park and Recreation Commission or staff. *County Manager Diorio said it was staff.*

Commissioner Dunlap questioned the non-involvement of the Park and Recreation Commission, since they represented the public. *County Manager Diorio said at some point there would be community engagement. She said the Board represented the public as well.*

Chairman Fuller asked was it possible for staff to consult with the Park and Recreation Commission and bring forth any ideas they had. *County Manager Diorio said the park was only one component of the project. County Manager Diorio explained that the project was not being driven by the park component.*

County Manager Diorio said she was confident that Park and Recreation staff had the community's best interest in mind.

Commissioner Cotham addressed the need for affordable housing in the community. She said this project was a good opportunity for the County to assist in that area of need via the development of the property. *Senior Assistant LaCaria said the proposals received showed a commitment to affordable housing.*

Commissioner Leake said the "flavor" of old Second Ward should be remembered in the development of the property. She also said jobs associated with the development of the property should be filled locally to whatever extent possible.

Commissioner Clarke said he would like the proposals ranked by staff.

Commissioner Ridenhour said his preference would be that the proposals not be ranked.

Commissioner Clarke said he was okay with them not being ranked, but he would like to see the pros and cons of each.

Commissioner Scarborough said she would like to see some acknowledgement of what was in the area years ago. She addressed the need for affordable housing. Commissioner Scarborough said she would like to see mix-use housing. She acknowledged that housing was not a County function.

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Commissioner Puckett said he hoped the Board was not requesting too much. He said it should be kept in mind that this was an urban area.

Commissioner James said the County was not in the housing business. He said it would not be fair to use funds generated from the project for affordable housing, in light of needs in other areas that were a function of the County.

Commissioner James said his hope was that the County would come up with a “reasonable proposal that maximizes the money and use of the property, so that the County would receive a lot of extra tax revenue, which could then be spent on what the County does best.”

Chairman Fuller said it should be kept in mind that the County was in partnership with other entities with respect to the development of this property.

Chairman Fuller commented on the positive economic impact of having mixed-use housing.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

16-3186 PARK AND RECREATION MASTER PLAN PROJECTS

The Board received an overview from Park and Recreation Director Jim Garges regarding the guiding principles utilized to determine the prioritization and selection of projects in the Park and Recreation Master Plan.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Dunlap asked about the initial development of Eastway Park. *Director Garges said the Master Plan was done in 2003 and development began in 2007.*

Commissioner Dunlap asked Director Garges to comment on parks that had been conceived and developed since 2003. *Director Garges noted First Ward Park and Romare Bearden Park. He also said a number of neighborhood parks and greenways would fall in that category, as well as, around 30 recreation center projects that were underway currently. He said the first phase of Eastway Park was done in 2007.*

Director Garges addressed what’s involved in the development of a master plan for a large regional park. He said development was done in phases, in light of other recreational needs.

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Commissioner Dunlap said the point he wanted to make was that there were a lot of other projects conceived and developed before the completion of Eastway Park, which was started prior to those projects, but to date, still had not been completed.

Commissioner Dunlap asked when was the next opportunity to get a project in line for development.

County Manager Diorio said currently there was a four-year capital plan extending out to FY2018. She said there were plans, however, to start a new capital planning process in FY2017, which would allow the County to start additional projects in FY2018.

Commissioner Dunlap said there were about 19 communities that fell into the category of being left behind. He said those communities would like for the Board to “make it right.”

Chairman Fuller asked if the Board moved Eastway Park up, what that would look like and what were the consequences of doing that. *Director Garges said there was the issue of how much funding was available for capital projects and being able to stay within the guidelines of the debt policy.*

Director Garges said there were a lot of nuisances to this because when you do a master plan in 2003 and now it’s 2016, you would have to go back to the community to see if what was proposed originally still what the community wanted.

Director Garges said he would not recommend doing anything at the expense of other projects.

Commissioner Cotham said she would like to see Eastway Park moved up. Commissioner Cotham said it seemed as if the development of Eastway had been put off at the expense of other projects.

Commissioner Scarborough asked about the bond referendum that included Eastway Park, which Director Garges addressed. She also asked about park rangers, which was addressed.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

16-3187 FY2016 RESTRICTED CONTINGENCY: SENIOR ACTIVITIES AND SERVICES

The Board received a status update on the Senior Activities Services agency from Management and Budget Director Michael Bryant.

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Note: The Senior Activities and Services agency, formerly known as the Levine Senior Center, provides activities to help keep seniors healthy, improve their fitness and assist them to complete the tasks needed to maintain independent living. As part of the FY2016 Adopted Budget, the Board placed \$70,000 for the Senior Activities and Services agency in restricted contingency, pending the outcome of discussions with the Town of Matthews, the Leon Levine Foundation, and the development of a viable business model that would ensure long-term sustainability.

It was noted that the requirements to release funds from restricted contingency had been met.

Comments

Commissioner Leake asked about the receipt of the next audit as it related this program, which was addressed.

Chairman Fuller expressed thanks to the Town of Matthews for working with the County on this matter.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to release the \$70,000 placed in restricted contingency for the Senior Activities and Services Agency.

A copy of the report is on file with the Clerk to the Board.

Commissioner James left the meeting and was absent for the remainder of the meeting.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3184 FEATURE DEPARTMENT PRESENTATION: CHARLOTTE MECKLENBURG LIBRARY

The Board received as information a report from Lee Keesler, the Charlotte Mecklenburg Library CEO regarding the Library's contributions to three community initiatives: 1) Impact on Third Grade Reading, 2) Impact on Digital Inclusion, and 3) Impact on Economic Opportunity.

A copy of the report is on file with the Clerk to the Board.

Comments

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Commissioner Ridenhour asked for an update on the Morrison Library, which was addressed.

It was noted that the Morrison Library would temporarily close on August 1, 2016 for renovations and because of the extent of the renovations, it would be closed for about a year.

Commissioner Leake thanked Mr. Keesler for the Library's work in District 2.

Commissioner Cotham asked about the impact of temporarily closing the Morrison Library, which was a voting precinct, in light of the upcoming election in November. *Mr. Keesler said the Board of Elections was aware of the closing. He said he was sure the Board of Elections would have a plan for going forward. Mr. Keesler said he would follow-up with the Board of Elections to see if a decision had been made regarding the relocation that precinct.*

Chairman Fuller thanked Mr. Keesler for the report.

16-3185 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly departmental management reports for March 2016.

Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

STAFF REPORTS & REQUESTS

16-3166 PRESENTATION – CHARLOTTE WATER, DRINKING WATER QUALITY

The Board received an update from Barry Gullet, Director of Charlotte Water, regarding the quality of the drinking water provided by Charlotte Water.

Note: The water quality problems in Flint, Michigan generated concerns over the drinking water quality in Mecklenburg County. Charlotte Water is a City agency that provides water and sewer service throughout most of Mecklenburg County. Charlotte Water wanted the public to be assured that the drinking water they treat and distribute was safe.

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A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake thanked Director Gullet for attending a recent forum in District Two regarding this issue.

Commissioner Dunlap asked Director Gullet to comment on the following: 1) the value of having a watershed, 2) the continued availability of water, in light of increases in population, and 3) the placement of fluoride in drinking water. *Director Gullet addressed each of these.*

Commissioner Cotham asked Director Gullet to comment on private company water sources, which he addressed.

Commissioner Clarke commented on water quality. He said the biggest risk to the County's water supply was the unregulated or "poorly regulated" development of land and uses of land upstream from Mecklenburg County that border the Catawba River.

Commissioner Clarke asked had any thought been given to the possibility of using some of the revenue generated from selling water to protect the watershed upstream. *Director Gullet said that was being done, not so much upstream, but locally. He said utility funds had been used to purchase hundreds of acres of "critical" areas on Mountain Island Lake.*

Commissioner Scarborough asked about the process for responding to citizen requests. *Director Gullet encouraged the Board to forward any complaints and/or requests they receive to his office.*

Chairman Fuller thanked Director Gullet for his report.

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3177 MECKLENBURG COUNTY EMPLOYMENT APPLICATION MODIFICATION (COMMISSIONERS COTHAM, LEAKE, PUCKETT, AND SCARBOROUGH)

At the request of Commissioner Cotham, the Board received information regarding the proposed removal, known as "Ban the Box," of the question related to criminal convictions from the County's application for employment.

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Commissioner Cotham said a better term would be “delay the box,” because it didn’t mean a person’s background would not be checked, but the removal on the front end would give people an opportunity not to be readily disqualified, because they indicated on their application that they had a criminal record.

Note: The current application for employment with the County includes a question which asks about the applicant’s criminal convictions. While it is legally permissible to ask this question on the application, the timing of this conviction information could create an unnecessary bias on the part of the hiring manager and potentially create an additional barrier to employment for the applicant. Under the current process, initial offers of employment are made to the selected candidate contingent upon the successful completion of a drug screening, education and reference checks, as well as a review of the candidate’s criminal history. If something is found in the criminal history, the information is then discussed with the candidate to determine if it is relevant to the job requirements and whether or not it would disqualify them from serving in the position offered. Since the review of the criminal history is completed prior to beginning employment, the removal of the question from the application will not create any additional hiring risk to the County.

The following persons appeared to speak in support of the “Ban the Box” proposal: Shanriqua Henderson, who would benefit from the removal, Corine Mack, President of the Mecklenburg County NAACP, and Melissa Mummert, a teacher at the Mecklenburg County Jail.

Comments

Commissioner Cotham addressed how this action would benefit so many. She noted her experience working with individuals who had a criminal record(s) and the difficulty they had in finding employment.

Commissioner Cotham said she hoped this action by the County would generate conversation in the community around this issue. She said her hope was that large and small businesses would follow suit.

Commissioner Scarborough spoke in support of the proposal. She noted a personal experience encountered, having been arrested in 1963 and placed in jail for seven days because of her support of civil rights. She said following that occurrence, she applied to work during the summer for the IRS but was denied the opportunity because of her arrest record. Commissioner Scarborough said if “ban the box” was around at that time, she would not have had that experience. She said she was fortunate enough that because her arrest was civil rights related, it was later removed.

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Note: Commissioner Scarborough was arrested in 1963 for going into the Sumter Theatre, which at that time, did not allow African Americans to enter.

Commissioner Scarborough said when a person had served their time, they should not be denied the opportunity to move forward.

Commissioner Puckett spoke in support of the proposal. He said it was not about “not asking about your past but rather, having the opportunity to explain your past.” Commissioner Puckett said he, too, liked the term “delay the box.”

Commissioner Leake spoke in support of the proposal. Commissioner Leake asked how the process would work once approved. *County Manager Diorio explained what steps HR would take.*

Commissioner Clarke spoke in support of the proposal.

Commissioner Dunlap spoke in support of the proposal.

Chairman Fuller spoke in support of the proposal. He said this was also about affording people economic opportunity.

Commissioner Puckett asked was staff prohibited from asking about criminal records during the interview process. *Deputy County Manager/Chief of Staff Chris Peek said no, but because interview panels were used, the question would not be asked at that time. He said the question would be asked by the Recruitment Manager of the final candidate, one on one, versus in a group setting.*

Commissioner Dunlap suggested the Board’s action with respect to this matter be well publicized, in the hope that other companies would follow suit, as noted by Commissioner Cotham.

Chairman Fuller said at some point, perhaps there could be discussion regarding whether the County could require those it contracted with to do this also with respect to their recruitment of applicants.

Commissioner Ridenhour expressed support of the proposal.

Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and

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Scarborough voting yes, to direct the County Manager to modify the County's application for employment by removing the question related to criminal convictions.

16-3160 CLOSED SESSION-LAND ACQUISITION COWAN'S FORD WILDLIFE REFUGE

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a portion of Tax Parcel 013-041-02 (+- 10 acres) from Roger D. Parks in the extraterritorial jurisdiction of the Town of Huntersville for \$245,000.

Note: The acquisition is for the expansion of the Cowan's Ford Wildlife Refuge.

16-3160 CLOSED SESSION-LAND ACQUISITION MALLARD CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 027-141-03 (+- 3.9 acres) from the George RB Moore Revocable Trust along Mallard Creek Greenway in the City of Charlotte for \$60,000.

Note: The acquisition is for the expansion of the Mallard Creek Greenway.

16-3160 CLOSED SESSION-LAND ACQUISITION MCALPINE CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a portion of Tax Parcel 211-011-15 (+- 4.915 acres) for \$31,000 from Providence Landing Atrium Homes Association.

Note: The acquisition is for the expansion of the McAlpine Creek Greenway.

Commissioner Dunlap left the dais and was away for the remainder of the meeting.

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**16-3160 CLOSED SESSION-LAND ACQUISITION WILMORE CENTENNIAL PARK AT SOUTH
END**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and

Commissioners Puckett and Ridenhour voting no, to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of Tax Parcel #123-062-09 (+- .124 acres) from David Nelson Matthews in the City of Charlotte for a purchase price of \$351,000.

Note: The acquisition is for the expansion of the Wilmore Centennial Park at South End.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the following items:

16-3151 AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Approve the list of property, (Exhibit A), as surplus, and adopt Resolution authorizing the sale of personal property by public auction on April 16, 2016 at 10:00 am, 5550 Wilkinson Boulevard, Charlotte, North Carolina.

Resolution and Exhibit A recorded in full in Minute Book _____ Document # _____.

16-3152 HAZARD MITIGATION PROGRAM – FY16 FLOODPLAIN ACQUISITION

Accept the Offer of Sale of Real Estate from Call Me First, LLC, owner of property at 5012 Addison Drive (Tax Parcel 185-071-05), for \$395,000, and authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This acquisition is being done through the Charlotte-Mecklenburg Storm Water Services' Engineering & Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

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16-3156 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$19,547 for Asset and Facility Management.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the department identified. This Board action provides authority to use the funds for replacement of these items.

16-3158 MINUTES

Approve Minutes of Regular meeting held March 1, 2016 and Closed Session held February 16, 2016 and March 1, 2016.

16-3162 LAND DONATION – MALLARD CREEK GREENWAY

Accept the donation of a portion of Tax Parcel 051-411-09 (±23.65 acres) for the future construction of a portion of Mallard Creek Greenway trail from Pavilion Village, LLC.

16-3165 CAPITAL RESERVE REQUEST – RECREATION CENTERS

Authorize expenditure of up to \$51,000 from the Recreation Centers Capital Reserve Fund to complete the following:

- 1) Fitness Equipment for West Charlotte Recreation Center \$15,000
- 2) Front Desk Counter/Office Furniture at Naomi Drenan Recreation Center \$6,000
- 3) Front Desk Counter for Hickory Grove Recreation Center \$6,000
- 4) Wireless Scoreboard for Albemarle Road Recreation Center \$5,000
- 5) Wireless Scoreboard remote for Berewick Recreation Center \$3,000
- 6) Window Tint for Hickory Grove Recreation Center \$3,660
- 7) Gym Lockers for Tuckaseegee Recreation Center \$3,080
- 8) Gym Lockers for Naomi Drenan Recreation Center \$3,080
- 9) Gym Lockers for Arbor Glen Outreach Center \$3,080
- 10) Gym Lockers for Ivory/Baker Recreation Center \$3,080

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16-3168 TAX REFUNDS

Approve refunds in the amount of \$138,005.30 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$4,540.55.

A list of the refund recipients is on file with the Clerk to the Board.

16-3169 CONSULTANT SELECTION – ROOF REPLACEMENT OF 715 E. 4TH STREET

Authorize the County Manager to negotiate fees and execute a contract with Terracon Consultants, Inc. for design services for the roof replacement on the Former Intake Center (715 E. 4th St.). In the event negotiations with Terracon Consultants, Inc. are unsuccessful, authorize the County Manager to negotiate with REI Engineers, Inc. for this project.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3179 GRANT APPLICATION – NCDPS ALTERNATIVES TO COMMITMENT PROGRAM (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the submission of a grant application for funding in the amount of \$100,000 during FY 2016-17 from the North Carolina Department of Public Safety, Division of Adult Corrections and Juvenile Justice; and if awarded, recognize, receive and appropriate such funds for the grant period; and if awarded, establish one Criminal Justice Case Manager position in Criminal Justice Services beginning July 1, 2016.

Commissioner Leake removed this item from Consent for more public awareness.

16-3180 GRANT APPLICATION – MECKLENBURG ABC BOARD GRANT (CRIMINAL JUSTICE SERVICES)

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the submission of a grant application for funding in the amount of \$50,000 from the Mecklenburg Alcoholic Beverage Control Board Grant Program; and if awarded, recognize, receive and appropriate such funds; and if awarded, establish one Peer

Support Specialist position in Criminal Justice Services, Re-Entry Services Program beginning July 1, 2016.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:26 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

APRIL 5, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 5, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3189, 16-3192, 16-3197, 16-3220, 16-3223, 16-3224, and 16-3230 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS

16-3206 BOCC NEWSLETTER PRESENTATION

The Board received as information a presentation from Public Information Director Danny Diehl on the new Board of County Commissioners newsletter.

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The following was noted:

- It will be a quarterly online publication that would allow Commissioners to post stories regarding their activities and districts.
- The newsletter will go to subscribers who request it through the County's GovDelivery list.
- It will be designed as a single document that starts with the Chairman and cascades through the at-large representatives and districts in numerical order.
- The content of the newsletter would be developed and produced by each commissioner and not staff.
- The stories should not include campaign information.
- Pictures and videos can be included and links to a commissioner's social media accounts and websites.
- If a commissioner does not submit stories, their section would not appear in the newsletter at all.

Comments

Commissioners spoke favorably of the newsletter.

Commissioner Leake, who welcomed the idea, expressed concern for those that may not be computer savvy and therefore, unable to access the newsletter electronically.

Director Diehl said Commissioners would be able to print the newsletter out and distribute it constituents.

Commissioner James suggested, as another means of communicating the contents of the newsletter, that Commissioners record their segment, which could then be played on the government channel. *Director Diehl said doing a podcast would probably accommodate the suggestion. He said staff would consider that.*

CLOSED SESSION

16-3202 BUSINESS LOCATION AND EXPANSION
16-3205 CONSULT WITH ATTORNEY

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Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to go into Closed Session for the following purposes:

Business Location and Expansion and Consult with Attorney.

The Board went into Closed Session at 5:26 p.m. and came back into Open Session at 6:20 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner James, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move item 16-3220 Proclamation-Day For National Service from Consent to Awards/Recognition.

16-3220 PROCLAMATION – DAY FOR NATIONAL SERVICE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a Joint Proclamation declaring April 5, 2016 as Day For National Service in Mecklenburg County and the City of Charlotte.

The proclamation was read by Chairman Fuller and received by Bert Green with Habitat for Humanity, Charlotte.

PROCLAMATION

City of Charlotte/Mecklenburg County

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's mayors and counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet city needs; and

WHEREAS, AmeriCorps and VISTA members address the most pressing challenges facing our cities and nation, from educating students for the jobs of the 21st century, supporting veterans and military families, preserving the environment and helping communities recover from natural disasters; to providing legal services for the underserved, serving the homeless, and building and renovating homes; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, national service participants serve in more than 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, AmeriCorps and VISTA members and volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

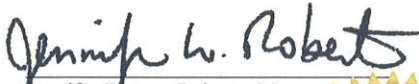
WHEREAS, the Corporation for National and Community Service shares a priority with mayors and counties nationwide to engage citizens, improve lives, and strengthen communities; and is joining with mayors and counties across the country to support the 4th Annual Mayor and County Recognition Day for National Service on April 5, 2016:

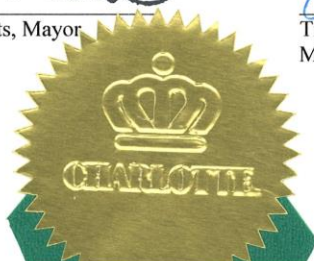
NOW, THEREFORE, WE, Jennifer Watson Roberts, Mayor of Charlotte, and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 5, 2016 as

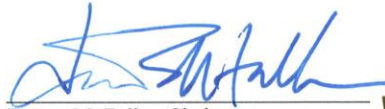
"DAY FOR NATIONAL SERVICE"

in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.


Jennifer Watson Roberts, Mayor
City of Charlotte




Trevor M. Fuller, Chairman
Mecklenburg Board of County Commissioners



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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move item 16-3230 Proclamation-Scottish Heritage Month from Consent to Awards/Recognition.

16-3230 PROCLAMATION – SCOTTISH HERITAGE MONTH (COMMISSIONER PUCKETT)

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a proclamation designating April 6 as Tartan Day and the month of April 2016 as Scottish Heritage Month in Mecklenburg County.

The proclamation was read by Commissioner Puckett and received by Bob McIntosh, Board Chairman of Historic Rural Hill.

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Mecklenburg County

North Carolina

Proclamation

WHEREAS, the majority of the original pioneers who moved to Mecklenburg County, North Carolina during the mid 1700's establishing the foundations of our current county were early immigrants from the bonnie shores of Scotland; and

WHEREAS, these same Scottish pioneers and their descendants were and are people of strong faith in God, and did early on build Presbyterian Churches for worship and to train up a moral people in this land; and likewise, because they knew the value of education, they established Queens College, later changed to Liberty Hall, the first such institution in North Carolina; and

WHEREAS, just as Scotland had in prior centuries produced leaders like King Robert the Bruce and William Wallace, these Mecklenburg Scots carried in their hearts a love of freedom, liberty and self-government, which they demonstrated by penning and signing the Mecklenburg Declaration of Independence on May 20, 1775 and adopting the Mecklenburg Resolves on May 31, 1775, they then took up arms to win and defend the freedom of their new nation; and

WHEREAS, because the Scottish Treaty of Abroath on April 6, 1320 inspired the contents for America's Declaration of Independence, the United States Senate designated April 6th each year as "National Tartan Day"; and

WHEREAS, since 1994 a great many of the citizens from Mecklenburg County with and without Scottish roots have rallied around the St. Andrews flag at Historic Rural Hill to celebrate the Loch Norman Highland Games and will gather again this April 16th and 17th ; now, therefore

BE IT RESOLVED that the Mecklenburg Board of County Commissioners recognizes April 6th as Tartan Day and the Month of April 2016 as

SCOTTISH HERITAGE MONTH

in Mecklenburg County.

This the 5th day of April 2016.



Trevor Fuller Chairman
Mecklenburg Board of
County Commissioners

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PUBLIC APPEARANCE

16-3203 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Ericka Hernandez with the Alianza Latino Coalition, appeared before the Board to address and invite the Board to the first of an upcoming Latino Substance Use Summit on May 21, 2016 from 12:30 pm to 3:30 pm at the Mint Museum on Randolph Road. The summit is being held in recognition of National Prevention Week, May 15-21, 2016.

APPOINTMENTS

16-3188 APPOINTMENTS

BICYCLE COMMITTEE

The vote was taken on the following nominees for appointment consideration to the Bicycle Committee:

Round 1

Julie Chandler	Commissioners Clark, Dunlap and Ridenhour
Paul DuPont	Commissioner Cotham
Debra Franklin	Commissioners Fuller, Leake and Scarborough
Jerry Mann	None
Heather Seagle	None
Jeffrey Wells	Commissioners James and Puckett

Round 2

Julie Chandler	Commissioners Clark, Cotham, Dunlap, James, Puckett and Ridenhour
Paul DuPont	None
Debra Franklin	Commissioners Fuller, Leake and Scarborough
Jerry Mann	None
Heather Seagle	None
Jeffrey Wells	None

Chairman Fuller announced the appointment of Julie Chandler to the Bicycle Committee to fill an unexpired term, expiring on March 31, 2017.

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Note: She replaces Jane Cacchione, who resigned because of work obligations.

BOARD OF EQUALIZATION AND REVIEW

Commissioner Ridenhour presented the Board's Ad Hoc Interview Appointment Committee's recommendation for appointments to the Board of Equalization and Review. The committee members were Commissioner Ridenhour, who chaired, Commissioners Cotham, Leake, and Scarborough.

The committee recommended the appointment of Kathy Davis, Robert "Bruce" Miller, Nobie Thrasher, and Nick Vilord and Steven M. Kessler, Jr., to the Board of Equalization and Review Committee for three-year terms expiring April 16, 2019. The Committee also recommended the reappointment of Robert "Bruce" Miller as Chairman of the Board of Equalization and Review and the appointment of William "Blaine" Hawkins as Vice-Chairman, both for the duration of their terms.

The vote was taken on the following nominees for appointment consideration to the Board of Equalization and Review Committee:

Note: Sy'Donia Williams was nominated on March 16, 2016, but asked that her name be removed from consideration; thus she was not interviewed.

Fela Babb	Commissioners Clark, Dunlap, Fuller and Scarborough
Kathy Davis	Commissioners Clark, Cotham, James, Puckett and Ridenhour
Steven M. Kessler, Jr.	Commissioners Clark, Cotham, Dunlap, James, Puckett, Ridenhour and Scarborough
Robert "Bruce" Miller	Commissioners Clark, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough
Irving Schwebel	Commissioner Clark
Nobie Thrasher	Commissioners Clark, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough
Nick Vilord	Commissioners Clark, Cotham, Fuller, James, Puckett, Ridenhour and Scarborough
Tina Whittaker	None

Chairman Fuller announced the reappointment of Kathy Davis, Robert "Bruce" Miller, Nobie Thrasher, and Nick Vilord and the appointment of Steven M. Kessler, Jr., to the Board of Equalization and Review Committee for three-year terms expiring April 16, 2019.

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Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Robert “Bruce” Miller as Chairman of the Board of Equalization and Review and appoint William “Blaine” Hawkins as Vice-Chairman, both for the duration of their terms.

ARTS & SCIENCE COUNCIL NORTH/WEST ADVISORY COUNCIL

The vote was taken on the following nominees for appointment consideration to the Arts & Science Council’s North/West Advisory Council:

Khary Brown	Commissioners Dunlap, Fuller, Leake, and Scarborough
Donald Nagel	None
Tyler Starr	Commissioners Clark, Cotham, James, Ridenhour, and Puckett

Chairman Fuller announced the appointment of Tyler Starr to the Arts & Science Council’s North/West Advisory Council, Districts 1 and 2, as an At-Large representative for a two-year term, expiring June 30, 2018.

ARTS & SCIENCE COUNCIL CENTRAL ADVISORY COUNCIL

Motion was made by Commissioner Dunlap, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Sheila Mullen to the Arts & Science Council’s Central Advisory Council, Districts 3 and 4 as an At-Large representative for a two-year term, expiring June 30, 2018.

Note: She replaces Jane Dalton who was appointed as a District 4 representative on March 16, 2016, but it was later discovered that Ms. Dalton lived in District 1. She listed District 4 in error. District 4 was her City Council District.

PUBLIC HEARINGS

16-3198 ABANDONMENT OF RIGHT-OF-WAY FOR GABLE ROAD

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open a public hearing to hear comments with respect to the abandonment of the right-of-way for Gable Road.

County Manager Diorio noted concerns raised by residents in the area regarding an incorrect phone number listed on the notification signage. County Manager Diorio suggested the Board continue to the public hearing until April 19th, to allow staff time to address the issues raised, including the issue of whether this portion of the road was or wasn't maintained by the state.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to continue the public hearing with respect to the abandonment of the right-of-way for Gable Road until the Board's April 19, 2016 meeting at 6:30 p.m.

Note: Property owners petitioned to abandon the 0.566 acre right-of-way for Gable Road located near the intersection of Shopton Road and Gable Road. Per the petition, said right-of-way and adjacent parcels are to be developed as a business park with alternate ingress and egress provided. NCDOT informed the petitioners on December 11, 2015 that the portion of right-of-way to be abandoned was not state maintained. General Statute 153A-241 requires a public hearing and approval of the order for closing by the Board of County Commissioners in order to abandon a right-of-way in the unincorporated part of the County.

16-3225 BUSINESS INVESTMENT GRANT: REPUBLIC SERVICES, INC.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to Republic Services, Inc.

Economic Development Director Peter Zeiler addressed the proposed Business Investment Program grant.

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Note: Republic Services, Inc. is a Fortune 500 company and an industry leader in recycling and nonhazardous waste. Incorporated in 1996, it is publicly traded on the New York Stock Exchange, with \$362 million in revenue, and headquartered in Phoenix, Arizona. Republic is the second largest domestic, non- hazardous solid waste company in the United States. The company operates 338 collection sites, 200 transfer stations, 193 active solid waste landfills, 66 recycling centers and 69 landfill gas and renewable energy projects across 39 states and Puerto Rico. Republic has identified Charlotte as a location for a large customer services operation in response to the company's rapid growth and several new acquisitions.

No one from the public appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Republic Services, Inc. for a total estimated amount of \$136,634 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR REPUBLIC SERVICES, INC.**

WHEREAS, Republic Services, Inc. will expand their operation in Charlotte, NC; and

WHEREAS, the company evaluated sites in South Carolina, Arizona and Indiana; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on September 1, 2015 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$6.8 million and will create 345 new jobs within three years at an average annual salary of approximately \$41,311. The Business Investment Program grant is a 90% grant over 3 years, with an estimated total amount of up to \$136,634. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new

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employment, new taxable property and new economic activity within the County; now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3200 FY2016 RESTRICTED CONTINGENCY: C.W. WILLIAMS HEALTH CENTER

The Board received an update on the C.W. Williams Health Center (CWW) from Assistant County Manager Mark Foster.

Note: As a part of the FY2016 Adopted Budget, the Board placed \$390,000 for CWW in restricted contingency pending certain actions including completion of a financial audit, approval of a federal bankruptcy reorganization plan, and continued approval of FY2015 and FY2016 federal government Health Resources and Services Administration grant funds.

It was noted that CWW had made positive changes and had met the conditions set by the Board. Staff recommended that the \$390,000 be removed from restricted contingency and made available for draw down by CWW.

It was noted also, that the County would enter into a contract with CWW specifying the grant payment conditions and would review the invoices against the grant criteria for reimbursement of qualified expenses.

A copy of the report is on file with the Clerk to the Board.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the release of funds from restricted contingency for C.W. Williams Health Center.

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16-3232 STATUS OF FY2015 THROUGH FY2018 CAPITAL PLAN

The Board received as information a report from County Manager Dena R. Diorio on the current Capital Plan.

Note: The Board approved a Capital Plan covering fiscal years 2015 through 2018. As the County moves through the second year of the plan, consideration must be given as to the timing and breadth of the County's next capital plan. Proper capital planning ensures that the County remains in compliance with its adopted Debt Management Policy, maintains the fiscal discipline that the Board embraced as a guiding principal, and guarantees sufficient capacity for future capital needs.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake noted the Board of Education's proposed desire to have a bond referendum in November of this year, 2016. She asked County Manager Diorio what was her recommendation to the Superintendent.

County Manager Diorio said she informed the Superintendent that her recommendation to the Board would be to not move forward with another referendum until at least November 2017. Thus, the County Manager would not support a request from the Board of Education for 2016.

Commissioner Leake said it concerned her that the Superintendent did not take heed to the County Manager's advice with respect to this issue.

Commissioner Leake asked what would happen next with respect to this issue. *County Manager Diorio said she would anticipate that the Board of Education would approve and submit a request to the Board for a bond referendum in November for some amount. She said upon receipt of the request, the Board would either take no action or vote not to move forward or vote to move forward.*

Commissioner Leake said she wanted the Board of Education to work with the County and not against the County.

Commissioner Puckett complimented the Board and staff on the County's planning efforts.

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Commissioner Puckett said one problem that existed between the County and Charlotte-Mecklenburg Schools (CMS) was a difference in philosophy when it came to long term planning for capital needs.

Commissioner Puckett said he was interested in knowing what CMS was going to bring to the table in terms of selling current assets, being innovative in how they want to reuse school buildings, etc.

Commissioner Puckett said he wanted to see how CMS had exhausted every possible capital dollar that they can use for their assets.

Commissioner James questioned whether CMS understood that there was a capital limit, and that they were not the only ones asking for money.

Commissioner James said he was not interested in attending a meeting with the Board of Education if the purpose was to make a request that was “at odds” with the County Manager’s recommendation to the Board.

Commissioner Clarke asked about the trend going forward with respect to debt issuance, which was addressed.

Commissioner Clarke commented on pay-as-you-go and the debt service fund. *County Manager Diorio addressed the purpose of the debt service fund.*

Commissioner Clarke asked about deferred maintenance, which was addressed.

Commissioner Clarke said he wanted to know the average monthly amounts, on a five-year basis, for pay-as-you-go, excess debt service fund, and capital preservation or deferred maintenance, perhaps starting with FY14.

Commissioner Clarke acknowledged that there were “serious” needs in the school system.

Commissioner Dunlap asked about bonds that had been approved but not issued and the impact of that on the County’s debt ratio, which was addressed.

Commissioner Dunlap said to date, the Board had not received anything from CMS. He said to his knowledge, there’s no plan on the part of CMS.

Commissioner Puckett said CMS needed to understand that their prior plans influenced the future, which was why planning was important. Commissioner Puckett said “once we take out

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the mortgage, we have to pay the mortgage. If you overbuilt the house or built it in the wrong place, you have to deal with the house that you built.”

Commissioner Puckett said CMS was not growing as fast as it had been stated.

Commissioner Puckett asked about land purchases, which was addressed.

Commissioner Ridenhour encouraged County Manager Diorio to get the information that was shared regarding the County’s capital plan, out to the public for their awareness.

Commissioner Ridenhour said his hope was that when CMS puts together a bond package that they listen to the community’s needs as expressed by parents and include funding to address those needs that currently existed.

Commissioner Cotham noted the Board of Education’s proposed forthcoming ask with respect to a bond referendum this fall. Commissioner Cotham said she was concerned for the citizenry who had already been asked and approved a state bond referendum just recently. Commissioner Cotham said to come back in November of this year and request another bond referendum was too much on the citizenry.

Commissioner Cotham said there were multiple needs in the community, not just CMS needs.

Commissioner Cotham said CMS had other big issues that they were dealing with, such as the superintendent search and the student assignment plan, which was another reason why 2016 would not work well.

Commissioner Scarborough suggested a joint meeting between the Board and the Board of Education to discuss the issue of capital planning.

Chairman Fuller thanked and complimented the County Manager and staff for managing the County’s debt so well.

Chairman Fuller said he didn’t have a problem with the Board of Education articulating what their needs were, however, “it’s steps a little beyond the bounds” to tell the County how to address those needs.

Chairman Fuller said it would be irresponsible for the County to comply with the proposed forthcoming ask of the Board of Education to place an \$800 million bond referendum on the ballot this fall, 2016.

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Chairman Fuller said when the Board adopted the 2015-2018 Capital Plan, the Board of Education and Superintendent, at that time, were informed that this plan was for four years and it would not be changed unless there were extraordinary circumstances.

Chairman Fuller said to date, the Board had not received a formal request, which meant the matter would be rushed.

Chairman Fuller said the Board of Education had the right to make the request and to promote the matter, but that they should not “get upset when the answer is no.”

Chairman Fuller said the two bodies should address the needs together. He said to his knowledge there was not a plan in place with respect to how to spend \$800 million.

Chairman Fuller said he could not support placing a bond of that magnitude on the ballot this year. He said with respect to doing it next year that could be discussed. He said that discussion would include the amount of the proposed bond referendum, the components of it, and its consistency with other plans.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS

16-3207 DAVID B. WAYMER RECREATION CENTER

Park and Recreation Director Jim Garges addressed the David B. Waymer Recreation Center.

Note: The David B. Waymer Recreation Center, located at 14200 Holbrook Road, Huntersville, NC, is owned by Mecklenburg County and leased to the Town of Huntersville. The facility has fallen into a state of disrepair. Recent inspections indicated potential life safety issues which led to suspended use of the facility. An assessment has identified specific repairs required to make the facility useable again. They include material abatement, demolition, fencing, site work, roofing, finishes, doors, hardware, fixtures, mechanical, plumbing, electrical, lighting and fire alarms. The adoption of the capital project ordinance will provide authorization and funding for the planning, design and construction of these renovations and repairs. Funding has been

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identified from balances remaining on completed projects. Capital Project Funding - \$1,300,000.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the FY2016 Park and Recreation - David B. Waymer Recreation Center Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 PARK AND RECREATION – DAVID B. WAYMER RECREATION CENTER
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 5th DAY OF April 2016:

Section I. That for the purpose of providing additional funds and reallocating funds together with any other available funds for the David B. Waymer Recreation Center renovations capital project including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$1,300,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

*Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:
2015-2016 fiscal year \$1,300,000*

Ordinance recorded in full in Minute/Ordinance Book _____, Document #_____.

16-3213 FARMERS MARKET AT THE BEATTIES FORD ROAD HEALTH DEPARTMENT

The Board received a presentation from Health Director Dr. Marcus Plescia and Wil Jones, a community representative, on a farmers market to be located on the grounds of the Beatties Ford Road Health Department.

Note: The farmers market, scheduled to open on May 3, 2016, would improve access to healthy foods for residents along Beatties Ford Road and surrounding neighborhoods. It will be open every Tuesday from May-September from 10:00 a.m. to 2:00 p.m.

Comments

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Commissioner Leake questioned the hours of operation and suggested consideration be given to changing or extending the hours. Commissioner Leake expressed concern for those that work and can't get there until 4:00 p.m. or later. *Dr. Plescia said Commissioner Leake's concern would be taken into consideration. He said one thought behind the hours was that persons visiting the Health Department during the day, would take advantage of the farmers market.*

Commissioner Leake asked would the farmers market program be expanded to other areas. *Dr. Plescia said they would love to expand the program but first wanted to get this one up and running and measure its success.*

Commissioner Cotham asked about the cost of produce, which was addressed.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve naming the farmers markets the Beatties Ford Road Health Department, the "Rosa Parks Farmers Market."

16-3219 2016 MECKLENBURG COUNTY LEGISLATIVE AGENDA

Deputy County Manager/Chief of Staff Chris Peek introduced Ken Melton with Ken Melton & Associates, the County's new State lobbyist, to present the County's 2016 Legislative Agenda for the Board's consideration.

Mecklenburg County Proposed 2016 Legislative Agenda

Tax Collector: Amend GS 105-259 to provide to a city or county the name, address and identification number of retailers who collect certain local taxes and the total revenue collected by the city or county for each of those taxes. (Room occupancy, prepared food and beverage, vehicle rental and/or heavy equipment rental).

Health: Support efforts to incorporate updates from the 2012 federal food code to state restaurant inspection regulations

Park & Recreation: Protect the funding currently slated for the Parks and Recreation Trust Fund. (PKR)

MEDIC: Allow MEDIC to bill patients who have a form of Medicaid that does not reimburse for ambulance transport.

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Finance: (Carryover from 2015): Support the passage of H430, Edition 4, Section 4 which allows cash receipts to be held until a total of \$250 is collected before requiring a deposit.

Comments

Chairman Fuller said he hoped a plan could be developed that would encourage Board members to engage more with state legislators directly.

Commissioner Leake asked how often Mr. Melton and his team would communicate with the Board regarding pertinent issues going on in Raleigh that would impact Mecklenburg County. *Mr. Melton said he would coordinate the method of communication with the County Manager. He said the goal was to get information to the Board as soon as possible.*

Commissioner Clarke suggested adding a new category to the Legislative agenda entitled Economic Development. He said the item that would fall under that category would be, "Support the Efforts of the Business Community Calling for the Repeal of HB2."

Commissioner Clarke said he was prompted to make this suggestion because of PayPal's announcement that they would not come to Charlotte/Mecklenburg as they had planned in light of the passage of HB2. Commissioner Clarke said this was a loss of 400 jobs.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough, to add a new category to the County's Legislative agenda entitled Economic Development and under that category list the following: "Support the Efforts of the Business Community Calling for the Repeal of HB2."

Commissioners Ridenhour and Leake spoke in opposition to adding the Economic Development category as proposed by Commissioner Clarke to the County's 2016 Legislative Agenda. They said this was not something the County should weigh in on and elaborated individually as to why they felt that way.

Commissioner Scarborough spoke in support of the Economic Development category as proposed by Commissioner Clarke.

Commissioner James spoke in opposition to adding the Economic Development category as proposed by Commissioner Clarke. He acknowledged his support of HB2.

Substitute motion was made by Commissioner Scarborough, seconded by Commissioner Leake, to table the discussion regarding the Economic Development category proposed by

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Commissioner Clarke until the Board had an opportunity to discuss the matter, since no prior discussion had taken place.

Commissioner Clarke apologized for not having had the opportunity to make Board members aware that he was bringing this matter forward at tonight's meeting.

Commissioners Dunlap and Puckett spoke in opposition to adding the Economic Development category as proposed by Commissioner Clarke to the County's 2016 Legislative Agenda. They said this was not something the County should weigh in on and elaborated individually as to why they felt that way.

Commissioner Cotham spoke in support of the Economic Development category as proposed by Commissioner Clarke.

Commissioner Scarborough withdrew her substitute motion and Commissioner Leake, seconder, concurred.

Chairman Fuller said he appreciated Commissioner Clarke bringing this matter up. He then spoke in opposition to HB2 and how it had negatively impacted the State. Chairman Fuller said HB2 was more than about restrooms.

Chairman Fuller said he didn't think it was necessary to add this matter to the County's 2016 Legislative Agenda, in order for the Board's opinion to be known.

Substitute motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the Mecklenburg County 2016 Legislative Agenda as presented.

Commissioner Ridenhour asked Mr. Melton what other counties and/or municipalities in N. C. that he represented. *Mr. Melton said Mecklenburg County was the only one.*

Commissioner Ridenhour said he was not opposed to having an Economic Development category going forward with the topic of licensure underneath. He said the topic of licensure for various types of businesses was currently being discussed in Raleigh and was something that could be considered.

Commissioner Ridenhour also noted needed changes in legislation with respect to breweries.

Commissioner Ridenhour said both were statewide issues.

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Note: The above is not inclusive of every comment but is a summary.

COUNTY COMMISSIONERS REPORTS & REQUESTS

Commissioner Puckett left the dais and was away until noted in the minutes.

16-3217 AUDIT REVIEW COMMITTEE REPORT

Commissioner Ridenhour gave the annual report of the Audit Review Committee, which he chairs. He confirmed that all the responsibilities outlined in the Audit Review Charter had been carried out.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to receive and approve the Annual Report from the Audit Review Committee.

Commissioner Puckett returned to the dais.

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt the Revised Audit Review Committee Charter.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt the Revised Department of Internal Audit Charter.

Charters recorded in full in Minute/Ordinance Book _____, Documents # _____ and _____.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3172 BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

1. Recognize and appropriate \$161,000 from Inmate Commissary revenue to

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the Sheriff's Office Special Revenue Fund.

Note: All funds collected through Jail Commissary operations are to be used for inmate education, library, and self-sufficiency programs, as well as supplies and equipment to support the programs.

2. Recognize and appropriate \$74,696 from Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

3. Recognize and appropriate \$247,928 from concealed handgun permit fees to the Sheriff's Office Special Revenue Fund.

Note: The Sheriff's Office share of all funds resulting from the issuance of concealed Carry permits will be used for law enforcement purposes only. These funds will be used for the purchase of supplies and equipment as necessary.

16-3191 CONSTRUCTION CONTRACT – LITTLE SUGAR CREEK GREENWAY PHASE E

Award a construction contract to Onsite Development, LLC in the amount of \$4,428,964.38, pending receipt of written concurrence by NCDOT for Little Sugar Creek Greenway, Phase E for Little Sugar Creek Greenway Phase E.

**16-3193 GRANT APPLICATION – THE LONGLEAF FUND'S SEEDS OF HOPE PROGRAM
(PARK AND RECREATION)**

Approve submission of a preliminary application to the *Longleaf Fund Seeds of Hope* program requesting \$250,000 to fund an inclusive play structure at Tuckaseegee Park.

**16-3194 BUDGET AMENDMENT – BARK IN THE PARK DONATION (PARK AND
RECREATION)**

Recognize, receive, and appropriate a \$50,000 sponsorship from Harris Teeter, Inc. for the Park and Recreation Department's *Bark in the Park* event and dog park improvements.

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**16-3195 GRANT APPLICATION – NORTH CAROLINA PARK AND RECREATION TRUST FUND
(PARTF) (PARK AND RECREATION)**

Approve the submission of a \$250,000 grant application to the North Carolina PARTF to supplement the costs for the Little Sugar Creek Greenway - Access Trail to South Mecklenburg High School and 5K Trail; and if awarded, authorize the County Manager to enter into a contract and reimbursement agreement with the State of North Carolina for the grant; and if awarded, recognize, receive and appropriate such funds for the grant period.

16-3196 INSURANCE REIMBURSEMENTS

Recognize, receive, and appropriate insurance reimbursement funds of \$7,531 for Asset and Facility Management, \$1,778 for Park and Recreation, \$1,200 for Land Use and Environmental Services, and \$295 for Community Support Services.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3204 MINUTES

Approve Minutes of Closed Session held March 16, 2016 and March 1, 2016.

16-3208 CAPITAL RESERVE EXPENDITURE – GOLF COURSES (PARK AND RECREATION)

Authorize the expenditure of up to \$37,000 from the Park and Recreation Golf Course Capital Reserve account for three major improvement projects at the Golf Depot Driving Range, CT Myers, and Renaissance Golf Courses.

**16-3209 CAPITAL RESERVE EXPENDITURE – WILLIAM R. DAVIE SYNTHETIC TURF INFILL
REPLACEMENT (PARK AND RECREATION)**

Authorize the expenditure of \$333,900.60 from the Park and Recreation "Synthetic Turf Field" Capital Reserve account for substitute infill at William R. Davie Park synthetic field.

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16-3210 ARCHITECT SELECTION – 3RD STREET LINEAR PARK

Authorize the County Manager to negotiate a fee and execute a contract with ColeJenest & Stone, P.A. for Architectural/Engineering Services for the 3rd Street Linear Park, and in the event that negotiations with this firm are unsuccessful, approved negotiations with the second ranked firm, Stewart.

16-3211 EASEMENT DONATION – LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of a permanent greenway access easement (± 0.434 acres) on a portion of tax parcel 221-075-21 from the Town of Pineville for the future construction of Little Sugar Creek Greenway access trail.

16-3214 IRWIN CREEK GREENWAY – CDOT RIGHT-OF-WAY ENCROACHMENT AGREEMENT

Authorize the County Manager to negotiate and execute a Right-of-Way Encroachment Agreement with the City of Charlotte's Department of Transportation (CDOT) to allow the County to encroach in CDOT right-of-way and to make structural improvements to the Remount Road underpass to accommodate the construction of Irwin Creek Greenway.

16-3215 LAND DONATION – HIDDEN VALLEY NEIGHBORHOOD PARK

Accept a donation of a portion of Tax Parcel 089-103-04 (+/- 1.51 acres) from Trotter Properties, Inc. for Park and Recreation purposes.

Note: Acquisition of this property would allow Park and Recreation to add more contiguous land holdings for Hidden Valley Neighborhood Park and allow for potential expansion and increase the park's buffer.

16-3216 LAND DONATION – PAW CREEK GREENWAY

Accept a donation of a portion of Tax Parcel 057-061-25 (+/- .453) from Trotter Properties, Inc. for Park and Recreation purposes.

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Note: Acquisition of this parcel would create contiguous land holdings along Paw Creek which was an adopted greenway corridor as identified in the Park & Recreation Master Plan. Acquisition of this parcel would also protect these flood prone areas from development.

16-3218 TAX REFUNDS

- 1) Approve refunds in the amount of \$7,916.53 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve registered motor vehicle tax refunds Resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

- 2) Approve refunds in the amount of \$46,663.99 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$2,460.48.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3189 COMMUNITY SUPPORT SERVICES DEPARTMENT POSITION

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize one position in Community Support Services, Homeless Services Division: 1 Senior Social Worker (annual market rate) \$54,664.

Note: Mecklenburg County CSS has partnered with the Urban Ministry Center to provide on-going services for Moore Place residents who are formerly homeless individuals with an ongoing disability. Moore Place residents is expanding to serve an additional 35 individuals in late Spring 2016, and an additional senior social worker is needed to provide services.

Commissioner Leake removed this item from Consent for more public awareness.

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Commissioner Cotham left the dais and was away until noted in the minutes.

16-3192 INTERLOCAL AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY FOR THE CHANCELLOR PARK DRIVE SIDEWALK CONSTRUCTION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a resolution authorizing the County to enter into an "Interlocal Agreement" between the City of Charlotte and Mecklenburg County to assist with funding the design and construction of Chancellor Park Drive sidewalk as part of the Toby Creek Greenway, Phase II; and amend the FY2016 Park and Recreation - Toby Creek Greenway Capital Project Ordinance to include \$140,194 reimbursement by the City of Charlotte.

RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY FOR THE CHANCELLOR PARK DRIVE SIDEWALK CONSTRUCTION

WHEREAS, Mecklenburg County (County) is constructing Toby Creek Greenway, Phase II from Highway 49 to Rocky River Road; and

WHEREAS, the County's design of Toby Creek Greenway, Phase II includes a sidewalk on Chancellor Park Drive to allow access to the greenway from multiple destinations and neighborhoods; and

WHEREAS, the City of Charlotte's (City) Sidewalk Priority List, dated February, 2016 establishes the need for a sidewalk on Chancellor Park Drive; and

WHEREAS, the City and County have agreed it would be more efficient and cost-effective to fund design and construction of a sidewalk on Chancellor Park Drive as part of the Toby Creek Greenway, Phase II; and

WHEREAS, the City will reimburse the County for costs associated with design and construction to a maximum not-to-exceed amount of one hundred forty thousand, one hundred and ninety four dollars (\$140,194); now, therefore be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Interlocal Agreement between the City of Charlotte and Mecklenburg County for the Chancellor Park Drive Sidewalk Construction as provided to the Board is hereby approved, and the County Manager is hereby authorized to execute such Interlocal Agreement in substantially the form provided to the Board, and that this Resolution shall be spread upon the minutes:

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

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**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 PARK AND RECREATION –TOBY CREEK GREENWAY
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 5th DAY OF April 2016:

Section I. That for the purpose of providing additional funds and reallocating funds together with any other available funds for the Toby Creek Greenway capital project including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$908,194 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2015-2016 fiscal year	\$768,000
City of Charlotte	140,194

Section III. That the total amount available for the Toby Creek Greenway capital project, including the appropriation of \$908,194 referenced in Section I is \$3,418,194. Additional funding for this project has been appropriated from Federal and State funding – Congestion Mitigation and Air Quality funds (\$2,148,000), City of Charlotte funding (\$402,194) and Carolina Thread Trail funding (\$100,000).

Commissioner Leake removed this item from Consent for more public awareness.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

**16-3197 AMEND THE INTERLOCAL AGREEMENT WITH CITY OF CHARLOTTE BRIAR CREEK
STREAM RESTORATION PROJECT**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a resolution authorizing an amended Interlocal Agreement for funding of Briar Creek Stream Restoration Project; receive and appropriate an additional \$884,375.49 from the City of Charlotte for its share of this joint project; and authorize the County Manager to execute a construction contract with Onsite Development, LLC for the Briar Creek, Chantilly Stream Restoration Project in the amount of \$4,202,185.42.

**MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF THE AMENDED
INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE FOR FUNDING OF
THE BRIAR CREEK WATER QUALITY PROJECT**

APRIL 5, 2016

WHEREAS, on May 17, 1993 the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County – Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, the plan requires use of a rate structure based on impervious area and a base rate charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, N.C. Gen. Stat. § 160A-461, “Interlocal Cooperation Authorized,” authorizes units of local governments to enter into agreement with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government; and

WHEREAS, on June 20, 2013 Mecklenburg County and the City of Charlotte (the “City”) entered into an Interlocal Agreement for Funding of the Briar Creek Water Quality Project; and

WHEREAS, the City and the County now wish to amend this Interlocal Agreement; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such an agreement “...shall be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the Amended Interlocal Agreement for Funding of the Briar Creek Water Quality Project between the County of Mecklenburg and the City of Charlotte in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioner Leake removed this item from Consent for more public awareness.

16-3223 LEASE AGREEMENT – DOUBLE OAKS POOL

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve a short-term lease agreement for the Double Oaks Pool from The Charlotte-Mecklenburg Housing Partnership for the summer of 2016.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Cotham returned to the dais.

**16-3224 GRANT APPLICATION – BUREAU OF JUSTICE ASSISTANCE ADULT DRUG COURT
DISCRETIONARY GRANT PROGRAM (CRIMINAL JUSTICE SERVICES)**

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the submission of a grant application for funding in the amount of \$300,000 to the Bureau of Justice Assistance Adult Drug Court Discretionary Grant Program; and if awarded, recognize, receive, and appropriate such funds for the grant period; and if awarded, establish one Criminal Justice Case Manager position in Criminal Justice Services for the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:58 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 19, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett, and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Matthew Ridenhour

-INFORMAL SESSION-

Commissioner Dunlap was absent when the meeting was called to order until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3212, 16-3234, 16-3239, 16-3241, 16-3242 and 16-3248 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

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CLOSED SESSION

16-3229 LAND ACQUISITION

16-3236 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel Numbers: 199-121-06 and 199-121-19.

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:12 p.m. and came back into Open Session at 5:26 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner James, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

PUBLIC APPEARANCE

16-3233 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

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Myra Clark, Director of The Center for Community Transitions, thanked the Board for its recent approval of “Ban the Box.” Ms. Clark commented on the positives as a result of the Board’s action.

Note: On March 16, 2016 the Board approved modifying the County's application for employment by removing the question related to criminal convictions.

Erlene Lyde, with the Charlotte-Mecklenburg Association of Educators and a teacher at West Charlotte High School, read a resolution regarding “Bringing Accountability to Charter Schools.” She asked the Board to consider adopting the resolution. The resolution calls upon the N.C. General Assembly to amend Charter School legislation, so that all Charter Schools are under the authority of locally elected Boards of Education, so that they are “publicly accountable to taxpayers for public funds they receive.”

Ms. Lyde also referenced other resolutions calling upon the N.C. General Assembly to take action regarding “A-F Grading” of Public Schools in North Carolina and “Proposed Achievement District.”

A copy of the proposed resolutions is on file with the Clerk to the Board.

Kevin Strawn, with the Charlotte-Mecklenburg Association of Educators and a teacher at East Mecklenburg High School, read a resolution regarding “Increasing Per Pupil Funding and Fully Funding Public Schools in NC.” He asked the Board to consider adopting the resolution. The resolution calls upon the N.C. General Assembly to take action with respect to per pupil funding.

A copy of the proposed resolution is on file with the Clerk to the Board.

APPOINTMENTS

16-3228 NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett,

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and Scarborough voting yes, to reappoint Robert Belisle and John Taylor to continue their terms on the Building Development Commission.

Note: They failed to meet the 2015 attendance requirement because of unforeseen circumstances. Mr. Belisle's absence was for medical reasons and Mr. Taylor was called for Jury Duty. Mr. Belisle's term expires July 31, 2017 and Mr. Taylor's term expires September 30, 2017.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Robert Bruton to the Nursing Home Community Advisory Committee, for a one-year term expiring April 30, 2017.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to reappoint Kay Roderick to the Nursing Home Community Advisory Committee, who has served two consecutive terms, but was willing to continue to serve since there were no applicants on file; for a three-year term expiring April 30, 2019.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3256 ARTS & SCIENCE COUNCIL – CULTURAL BLOCK GRANTS UPDATE

The Board received an update from Ryan Deal and Tiera Parker from the Arts & Science Council (ASC) on County funded cultural block grants.

Note: As part of the FY2016 Adopted Budget, the Board provided \$300,000 to ASC for cultural programming in parks, recreation centers, and libraries across the County.

A copy of the report is on file with the Clerk to the Board.

Comments

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Commissioner Leake expressed concern regarding the Afro American Heritage Day that's held in the park on 7th street and whether the Arts and Science Council had considered involving this event in its efforts. *Ms. Parker said they welcomed the opportunity to partner with major events occurring in the community.*

Commissioner Leake encouraged Ms. Parker to look into the possibility of connecting with the Afro American Heritage event. Commissioner Leake said she wanted to make sure the Arts and Science Council cultural block grants program was inclusive and diverse.

Commissioner Leake asked what happened to the colorful chairs the Arts and Science Council placed throughout the community at one time.

Commissioner Leake noted a youth program put on by Mattie Marshall, a community advocate, at Clinton Chapel AME Zion Church, under the heading of the Arts and Science Council. Commissioner Leake questioned why the program was not listed in the information shared by the ASC.

Commissioner Leake suggested the ASC consider working with the faith community and doing something with respect to community choirs.

Mr. Deal said they welcomed Commissioner Leake's comments and suggestions. He said it was possible that the ASC, with respect to the cultural block grants program, was operating under a false assumption. He said they assumed all of the programming was to take place at County owned facilities, such as parks, recreation centers, and libraries. He said if there was openness to expanding the programming area, they would be happy to have those discussions with the County.

Commissioner Cotham congratulated the ASC representatives on their success with this program. She noted that it addressed a concern she had in the past with respect to ASC activities being concentrated downtown, rather than throughout the community.

Commissioner Scarborough congratulated the ASC representatives on the success of this program.

Chairman Fuller commented on the importance of the arts and cultural activities in communities. He suggested the ASC consider holding events at school facilities as well.

Chairman Fuller suggested consideration be given to taking various programs, normally done in a targeted community to other parts of the community, for example, taking a program that's

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normally done in a predominately African American community to an area that's not predominantly African American or bringing Hispanic programs to predominantly African American communities and vice versa. He said this would bring neighborhoods and cultures together.

Chairman Fuller said the arts was connected to economic opportunity. He said one of the challenges with economic opportunity in the County was social capital. He said access to the arts was a part of social capital.

Chairman Fuller thanked and complimented the presenters for the report.

PUBLIC HEARINGS

16-3250 ABANDONMENT OF A PORTION OF THE RIGHT-OF-WAY OF GABLE ROAD

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to open the continued public hearing from April 5, 2016 on the proposed abandonment of a 0.566 acre portion of the right-of-way of Gable Road.

The following person appeared to speak:

Nick Jones spoke in favor of the abandonment of the right-of-way on Gable Road.

Note: On April 5, 2016, the Board of County Commissioners continued the public hearing for the Gable Road right-of-way abandonment until April 19, 2016 as a result of issues raised by Michael and Jacqueline Wall of 4830 Gable Road about whether the portion of Gable Road requested to be abandoned was State maintained and a concern about the phone number listed on the sign. The NCDOT verified that the portion of Gable Road requested for abandonment was NOT State maintained. The phone number that was on the sign was a phone number to LUESA, but it did not ring at the desk of a person familiar with this issue, but it did ring at the desk of a receptionist. The number was corrected on the sign. Failure of this number to ring at the desk of a person familiar with this issue did not invalidate the legality of the sign posting according to Marvin Bethune, County Attorney.

Per the petition, the property owners, EastGroup Properties and Partnership Steele Creek (1997) Limited requested the abandonment of a 0.566 acre portion of right-of-way for Gable Road.

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General Statute 153A-241 requires a public hearing and approval of the order for closing by the Board of County Commissioners in order to abandon a right-of-way of a road or portion of road in the unincorporated part of the County that is not State maintained. LUESA, and the County Attorney, still recommended adoption of the Resolution as being consistent with the statute that allowed the Board of Commissioners to abandon a portion of a road that is not State maintained.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to close the public hearing on the abandonment of a 0.566 Acre portion of the right-of-way of Gable Road; and approve the Order for Abandonment of a 0.566 Acre Portion of the Right-of-Way of Gable Road.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
ORDER FOR ABANDONMENT OF A 0.566 ACRE PORTION OF THE
RIGHT-OF-WAY OF GABLE ROAD**

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently close any public road or easement within the county and not within the city except public roads or easements for public roads under the control and supervision of the North Carolina Department of Transportation, and specifies the procedure to be followed; and

WHEREAS, property owners have requested that a 0.566 acre portion of the right-of-way for Gable Road be abandoned; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the abandonment of said portion of the right-of-way would not deprive any individual owning land in the vicinity of said portion of the right-of-way of reasonable ingress and egress to their property; and has determined that the North Carolina Department of Transportation does not maintain the portion of the right-of-way of Gable Road which has been requested to be abandoned; and

WHEREAS, on February 16, 2016, the Mecklenburg Board of County Commissioners declared its intent to abandon the 0.566 acre portion of the right-of-way for Gable Road which is shown on the map attached as Exhibit A, and did set a public hearing on the question of whether to abandon said portion of the right-of-way on the 5th day of April, 2016 in the Meeting Chamber, first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, and did instruct the Clerk to the Board of County Commissioners to publish the intent of the Board of County Commissioners to abandon said portion of the right-of-way and did instruct the Project Manager to send or have sent copies of the resolution declaring the intent to abandon said portion of the right-of-way to the owners of the adjoining properties who did not join in the request to have said portion of the right-of-way abandoned, and to have a notice of public hearing posted in at least two places along said road; and

WHEREAS, NCGS 153A-241 states the effect of a road closing on adjoining landowners and

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on public utilities as follows: "Upon the closing of a public road or an easement pursuant to this section, all right, title, and interest in the right-of-way is vested in those persons owning lots or parcels of land adjacent to the road or easement, and the title of each adjoining landowner, for the width of his abutting land, extends to the center line of the public road or easement. However, the right, title or interest vested in an adjoining landowner by this paragraph remains subject to any public utility use or facility located on, over, or under the road or easement immediately before its closing, until the landowner or any successor thereto pays to the utility involved the reasonable cost of removing and relocating the facility"; and

WHEREAS, *at said public hearing held on April 5, 2016, the Mecklenburg Board of County Commissioners continued the public hearing until 6:30 pm on April 19, 2016; and*

WHEREAS, *at said continued public hearing held on April 19, 2016, the Mecklenburg Board of County Commissioners gave an opportunity to all interested persons to speak on whether the abandonment would be detrimental to the public interest or any individual property rights; now, therefore, be it*

RESOLVED, *that the Mecklenburg Board of County Commissioners has determined and is satisfied that the abandonment of the 0.566 acre portion of the right-of-way for Gable Road as shown on the map attached as Exhibit A hereto is not contrary to public interest, and that no individual owning property in the vicinity of said portion of the right-of-way would thereby be deprived of reasonable ingress and egress to their property when said portion of the right-of-way is abandoned; and be it*

FURTHER RESOLVED, *that the Mecklenburg Board of County Commissioners does hereby adopt this Order for Abandonment of the 0.566 acre portion of the right-of-way for Gable Road pursuant to the North Carolina General Statute 153A-241, effective once this Order for Abandonment has been approved; and be it*

FURTHER RESOLVED, *that the Clerk to the Board of County Commissioners is directed to file a certified copy of this Order for Abandonment of said portion of the right-of-way of Gable Road in the office of the Register of Deeds of Mecklenburg County. The recordation of this Order for Abandonment shall provide conclusive evidence of the abandoning of the 0.566 acre portion of the right-of-way of Gable Road as shown on the map attached hereto as Exhibit A.*

Order recorded in full in Minute/Ordinance Book _____, Document # _____.

MANAGER'S REPORT

16-3257 FY2017 PROPOSED FEE ADJUSTMENTS

The Board received presentations from the directors of Public Health (Dr. Marcus Plescia), Land Use and Environmental Services Agency (LUESA) (Director Ebenezer Gujjarlapudi), and Park & Recreation (Director Jim Garges) highlighting proposed fee changes that the County Manager was considering as a part of the FY2017 Recommended Budget.

A copy the presentations is on file with the Clerk to the Board.

Comments

LUESA Proposed Fee Adjustments

Commissioner Dunlap asked about the proposed reduction in permit fees and whether the same result could happen if the Board rescinded its previous action from several years ago with respect to the 2.5% increase.

Director Gujarlapudi explained that the reduction proposed was different from the 2.5% increase previously approved by the Board.

Commissioner Cotham said she wanted to be sure there wasn't any kind of "catch" in the proposed reduction that would negatively impact customers with one fee decreasing and another increasing.

Commissioner Cotham said she received a complaint recently from a developer regarding advanced plan approvals and the fee associated with that process. *Director Gujarlapudi addressed the program available to builders that allowed them to book plan reviews in advance.*

Commissioner Puckett asked about the filling of positions, which was addressed.

Commissioner Dunlap with respect to Solid Waste, asked was there plans to expand the Fox Hole landfill. *Director Gujarlapudi said any expansion would be based on need. Director Gujarlapudi elaborated on how the expansion of a landfill would work.*

Commissioner Puckett asked about commercial solid waste fees, which was addressed.

Commissioners Dunlap, Puckett, Chairman Fuller, and Commissioner Cotham asked about the disposal of televisions, which was addressed.

Chairman Fuller suggested consideration be given to only charging non-county residents for television disposal.

Commissioner James said residents probably would not pay for the disposal of televisions. He said many would just place them in their trash or recyclable bin.

Park and Recreation Proposed Fee Adjustments

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Commissioner Dunlap asked was any concession made for leagues that may not be as organized as others with respect to being able to pay the required fees. *Director Garges addressed the question.*

Commissioner Dunlap asked about balancing the facility needs of the community versus the needs of organized sports programs. *Director Garges addressed the question.*

Note: There were no questions of Dr. Plescia regarding Health Department proposed fee adjustments.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3254 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly departmental management reports for April 2016.

Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

STAFF REPORTS & REQUESTS

16-3245 RESOLUTION – MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE INTERLOCAL AGREEMENT FOR A BUSINESS PERMITTING SOFTWARE APPLICATION

LUESA Director Ebenezer Gujjarlapudi addressed a proposed interlocal agreement with the City of Charlotte for a business permitting software.

A copy of the presentation is on file with the Clerk to the Board

Comments

Commissioner Leake said she would share the information presented with the Small Business Consortium for their awareness and would reach out to Director Gujjarlapudi for assistance.

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Commissioner Scarborough asked about the timeframe for implementing the new software. *Director Gujjarlapudi said the goal was to have it implemented by the end of the year.*

Commissioner Puckett asked would staff be able to differentiate between the County's overlay and the City's with respect to land parcels. *Director Gujjarlapudi said yes and elaborated on how the process would work.*

Chairman Fuller asked could additional components be added, such as, links to other sites with related information that would be helpful to the customer. *Director Gujjarlapudi said the software was flexible and that once the software was up and running, other enhancements could then be considered.*

Commissioner Puckett suggested, looking to the future, consideration be given to having links to a "paying partner's" website. Commissioner Puckett said he was thinking from the perspective of the private sector paying the County to be a part of this network.

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to adopt the Resolution Authorizing Execution of the Interlocal Agreement For a Business Permitting Software Application Between Mecklenburg County and City of Charlotte.

**MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF THE
INTERLOCAL AGREEMENT FOR A BUSINESS PERMITTING SOFTWARE APPLICATION BETWEEN MECKLENBURG
COUNTY AND CITY OF CHARLOTTE**

WHEREAS, the City of Charlotte (the "City") and Mecklenburg County (the "County") desires to enter into an interlocal agreement ("Interlocal Agreement") in order to develop a joint undertaking project for the design, implementation, licensing and maintenance of a business permitting software application (the "Application").

WHEREAS, the Interlocal Agreement names the City as lead agency in managing contracts for the Application, with the cost of maintaining the Application shared 50% by the City and 50% by the County.

WHEREAS, the Application will improve customer access to information pertaining to land development and building plan approvals and permits for commercial projects.

WHEREAS, North Carolina General Statutes 153A-445(a) (1) and 160A-460 et. seq. authorize the City and the County to enter into an interlocal agreement to undertake joint funding and operation of projects; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that this agreement "be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the Interlocal Agreement for a Business Permitting Software Application

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between the County of Mecklenburg and the City of Charlotte in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution/Agreement recorded in full in Minute/Ordinance Book ____, Document # ____.

16-3246 ECONOMIC DEVELOPMENT OFFICE ANNUAL REPORT

The Board received the Economic Development Office Annual Report from the Director of Economic Development, Peter Zeiler.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Dunlap said he hoped staff was keeping track of those businesses that had committed to coming to Charlotte/Mecklenburg County, but have now changed their mind because of HB2, and the economic impact of that.

Commissioner Dunlap said in the past he proposed having some type of incentive program for small businesses, but the idea failed at that time. Commissioner Dunlap said it was his understanding that the idea was being talked about and that an analysis was going to be done to determine where the gaps were; followed up recommendations on how to fill the gaps.

Director Zeiler said staff was in the process of developing the request for proposals with respect to that matter.

Commissioner Dunlap asked was the County participating in the City of Charlotte's (City's) disparity study. *Director Zeiler said yes and that Teresa McDow, a member of his staff, would be participating in that process. He said the extent of the County's participation was not fully known.*

Commissioner Dunlap said he would be interested in knowing if any disparities still existed from the County's perspective, and if so, what remedies could be put in place to eliminate them. He acknowledged that progress had been made over the years.

Commissioner Leake thanked Director Zeiler for the report and complimented him on the content.

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Commissioner Leake said she was also interested in knowing the impact of HB2 on the community from an economic perspective.

Commissioner Leake spoke in support of financial incentives to assist small businesses.

Commissioner Scarborough thanked staff for its work and this area, as well as, the County's partners in the economic development process. *Note: Commissioner Scarborough chairs the Board's Economic Development Committee.*

Chairman Fuller said he, too, was interested in knowing the impact of HB2 on the community from an economic perspective.

Chairman Fuller asked was the disparity study referenced being conducted by the City of Charlotte and was the City of Charlotte hiring the consultant. *Director Zeiler said yes.*

Chairman Fuller asked would the disparity study include a review of the County. *Director Zeiler said he didn't think that it would directly.*

Chairman Fuller said if the County was going to participate, then it should be for information that was relevant for the County. He said perhaps the City of Charlotte would be interested in doing a joint study.

Director Zeiler said he would provide the Board with a memo with more details regarding the City's disparity study.

Chairman Fuller noted that the majority of the business incentives given in 2015 were to businesses that expanded within the County. He suggested going forward that the County's focus be on the expansion of existing businesses within the County.

Commissioner James noted that the County conducted a disparity study years ago. He said the results of the study indicated that the County was not out of compliance and there was no disparity.

Commissioner James questioned the need for the County to participate in the City of Charlotte's Disparity Study.

Commissioner Dunlap said he was looking at it from the perspective of it being a checkup for the County, since the last study was done.

This concluded the discussion. The above is not inclusive of every comment but a summary.

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**16-3249 OVERVIEW OF THE EXPUNGEMENT PROCESS AND PROCLAMATION OF
OFFENDER REENTRY WEEK**

The Board received an overview of the expungement process from Interim Criminal Justice Services Director Carol Hickey. She was assisted in the presentation by Maria Macon, a member of the Charlotte-Mecklenburg Community Relations Committee. Cindy Patton, a local attorney with Legal Aid of N.C. was also present and addressed questions.

Note: An expungement is a legal process that removes a charge or conviction from an individual's criminal record. The expungement process can be a significant legal step for individuals working to move forward with their lives after a criminal charge. Expungements have specific eligibility criteria, and individuals may only receive one expungement. Certificates of relief (CORs) are appropriate for other individuals with more recent or extensive criminal histories. CORs do not erase a person's record but they remove some of the consequences of a criminal record such as limited employment options.

The presentation provided the Board with an overview of the expungement process, certificates of relief, and also assistance available within Mecklenburg County to pursue expungements.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Scarborough commented on the importance of expungement and thanked those that work to assist persons with getting things expunged from their records.

Commissioner Dunlap asked for clarification with respect to who was eligible to take advantage of the expungement process from an age perspective, which was addressed.

Commissioner Cotham commented on the importance of expungement, as well as, the difficulty in getting it done.

Commissioner Cotham asked where could information regarding the expungement process be found. *It was noted that persons could go to the N.C. Justice Center's website, where there's a link to the Second Chance Alliance website.*

Mr. Adams, a member of the Charlotte-Mecklenburg Community Relations Council of Elders, and Brooklyn, New York native, addressed how he was able to obtain a Certificate of

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Relief when in New York. Mr. Adams said were it not for that Certificate of Relief, the opportunities that had been made available to him, would not have happened.

Commissioner Leake commented on the judicial system and the need for the sentencing process to change.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to adopt a proclamation designating April 24-30, 2016 as Offender Reentry Week in Mecklenburg County.

Mecklenburg County

North Carolina

Proclamation

WHEREAS, more than 23,000 men and women leave North Carolina prisons every year, and more than 1,700 people annually return to Mecklenburg County from state and federal prisons, with prison recidivism rates topping 48 percent; and,

WHEREAS, it costs \$29,160 per year to house an adult inmate at the state level; and,

WHEREAS, in 2013, the Board of County Commissioners, using grant funds from the North Carolina Department of Public Safety, recognized the need to assist inmates transitioning back into the community through Reentry Services within Criminal Justice Services; and,

WHEREAS, the Mecklenburg County Sheriff's Office's Reentry Program serves offenders on the local level in Mecklenburg County jails; and,

WHEREAS, in 2016, the Mecklenburg County Board of Commissioners adopted Ban the Box in support of increasing employment opportunities for persons with criminal records; and,

WHEREAS, the work that has been done by the Reentry Partners of Mecklenburg has made Mecklenburg County a national leader in providing reentry services and reducing recidivism; and,

WHEREAS, clients have benefitted from the important work of the community partners who have helped in reducing recidivism and provided returning residents access to job training, healthcare, housing, case management and have put thousands of individuals on a path to productive, successful lives; and

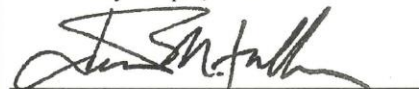
WHEREAS, the U.S. Department of Justice has declared April 24-30, 2016, as National Reentry Week; **now, therefore, be it**

RESOLVED that the Mecklenburg Board of County Commissioners does recognize April 24-30, 2016 as

OFFENDER REENTRY WEEK

in Mecklenburg County.

This 19th day of April, 2016



Trevor M. Fuller, Chairman
Mecklenburg Board of County Commissioners



COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3260 2016 BOCC MEETING SCHEDULE (CHAIRMAN FULLER)

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to amend the 2016 Board of County Commissioners (BOCC) Meeting Schedule to move the first meeting in May from Wednesday, May 4, 2016 to Tuesday, May 3, 2016.

Note: At its November 17, 2015 meeting, the Board adopted its 2016 Meeting Schedule. On that schedule, the Board approved meeting on Wednesday, May 4, 2016 due to the Second Primary Election that was to be held on Tuesday, May 3, 2016, that election was cancelled.

CLOSED SESSION

16-3229 LAND ACQUISITION WINGET PARK AND NATURE PRESERVE EXPANSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to:

- 1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of 1) Tax Parcel # 199-121-06 (+/- 64.11 acres) from William Allen Winget, Trustee of the Sam A. Winget Revocable Trust Agreement and the Virginia J. Winget Revocable Trust Agreement, and 2) Tax Parcel # 199-121-19 (+/- 5.0 acres) from William and Susan Winget in the extra-territorial jurisdiction of the City of Charlotte for \$38,778 per acre.
- 2) Authorize the County Manager to negotiate and execute a leaseback agreement with William A. Winget for Tax Parcels # 199-121-06 and # 199-121-19 for a period of one-year with the option of one (1) six month extension

Commissioner Clarke left the meeting and was absent for the remainder of the meeting.

APRIL 19, 2016

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to approve the following item(s):

16-3235 MINUTES

Approve Minutes of Regular meeting held March 16, 2016.

16-3237 LITTLE SUGAR CREEK GREENWAY – DUKE ENERGY TRAIL ENCROACHMENT AGREEMENT

Authorize the County Manager to negotiate and execute a trail encroachment agreement between the County and Duke Energy to allow portions of the Parkwood/Cordelia section of Little Sugar Creek Greenway/Cross Charlotte Trail to be constructed within Duke Energy's transmission right-of-way on Tax Parcels 081-101-15 and 083-043-29.

16-3240 CAPITAL RESERVE EXPENDITURE – MECKLENBURG COUNTY AQUATIC CENTER

Authorize the expenditure of up to \$75,000 from the Consolidated Aquatic Capital Reserve Fund for additional capital improvements to the Mecklenburg County Aquatic Center; and authorize the transfer of \$200,000 from Park and Recreation lapsed salaries to the Capital Reserve Fund for the remediation of unsuitable soils in the parking areas of the Mecklenburg County Aquatic Center.

16-3243 CAPITAL RESERVE EXPENDITURE – RAMSEY CREEK BEACH

Receive contribution and appropriate expenditure of \$8,400 from the Rotary Club of North Mecklenburg County in the Consolidated Aquatic Capital Reserve Fund for purchase of Ramsey Creek Beach for lifeguard chairs, adirondack chairs and umbrellas

16-3244 TAX REFUNDS

1) Approve refunds in the amount of \$9,390.87 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor

APRIL 19, 2016

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$35,939.01 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$1,366.79.

A list of the taxpayer recipients is of file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3212 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to recognize, receive, and appropriate a net increase of Federal revenue in the amount of \$34,854 from the Bureau of Justice Assistance.

Note: Funds will be used to purchase a forecasting tool and quantitative application publications. The tool will assist with making better predictions and improve the ability to forecast the local jail population and other local criminal justice populations based on existing practices, trend information, and policy choices.

Commissioner Leake removed this item from Consent for more public awareness.

16-3234 BUDGET AMENDMENT – DSS (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake , seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to

APRIL 19, 2016

- 1) Recognize, receive, and appropriate additional Federal IV-E Child Care Subsidy revenue of \$43,330 from the North Carolina Division of Child Development and Early Education (DCDEE);

Note: The funds will cover services for children currently receiving title IV-E.

- 2) Reduce the Family Caregiver Grant funding in the amount of \$12,071;

Note: State In-Home: The North Carolina Division of Aging and Adult Services reduced the state revenue by \$12,071. State In-home funding provides assistance with in-home and adult day care services, home improvement, and preparation and/or delivery of meals for at-risk adults ages 18 and over; and

- 3.) Approve the Home and Community Care Block Grant (HCCBG) Consumer Directed funding plan for FY2016.

Note 3: In June 2015, the Department of Social Services (DSS) submitted for Board approval, the FY16 Home and Community Care Block Grant (HCCBG) funding plan (also referred to as the County Aging Plan). At the time of submission, the Consumer Directed Services, a subset of the In Home Aide program, portion of the funding plan was missed due to an issue with the upload. The missing portion was not signed at the time the master HCCBG funding plan was signed. Board approval on all sections of the funding plan are required prior to submitting the funding plan to Centralina Council of Governments (COG), the local grant authority. We are requesting a correction and that the omitted portion of the HCCBG funding plan that was not submitted now be signed.

Commissioner Leake removed this item from Consent for more public awareness.

16-3239 WINDSCREEN DONATION – LAKE NORMAN TENNIS ASSOCIATION (PARK AND RECREATION)

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to recognize and receive a donation from the Lake Norman Tennis Association for a center windscreen at Mallard Creek High School tennis courts valued at \$900.

Commissioner Puckett removed this item from Consent for more public awareness.

APRIL 19, 2016

16-3241 AUTHORIZE COMMUNITY SUPPORT SERVICES (CSS) POSITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to authorize one (1) position in Community Support Services Homeless Support Services Division: One (1) Administrative Support II Position (annual market rate) \$35,050 plus benefits.

Commissioner Leake removed this item from Consent for more public awareness.

16-3242 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to recognize, receive, and appropriate a net increase in revenue in the Health Department in the amount of \$136,530.

Note: The net increase is to reflect actual state, federal, and other funding changes.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner James and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:29 p.m.

Note: Item: 16-3248 4TH STREET PARKING DECK—PARKING ACCESS AND REVENUE COLLECTION SYSTEM was on the agenda to be acted upon, however, the meeting was adjourned before it was realized that the item had not been addressed. The item will be placed on the Board's May 3, 2016 agenda for action.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

MAY 3, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 3, 2016.

ATTENDANCE

Present: Vice-Chairman Dumont Clarke and Commissioners
Patricia “Pat” Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour, and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Chairman Trevor M. Fuller

-INFORMAL SESSION-

The meeting was called to order by Vice-Chairman Clarke, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3248, 16-3265, and 16-3283, to be removed from Consent and voted upon separately.

It was the consensus of the Board to move Item 16-3283 Proclamation—Older Americans Month from Consent to Awards/Recognition.

STAFF BRIEFINGS

16-3282 STAFF REPORT ON 2017 BENEFIT PLAN BUDGET

MAY 3, 2016

The Board received information on potential health and wellness changes for 2017 benefit plan year from Human Resources Director Joel Riddle.

Note: Mecklenburg County is experiencing increases in medical costs. Trend data indicates that medical and pharmacy costs continue to rise. The County's existing medical plans have not kept up with these increased costs. Director Riddle provided information on increased claims costs and preliminary options to reduce costs while offering competitive benefit options to county employees.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner James asked if staff knew the reasons for hospital visits. *The response was yes, but not who the individuals were.*

Commissioner Dunlap asked about a Health Savings Account (HSA) versus a Flexible Spending Account (FSA), which was addressed.

Commissioner Leake commented on the importance of educating employees about health and wellness.

Commissioner Cotham asked about surveying employees to assess their knowledge of available benefits, which was addressed.

Commissioner Puckett noted that all of Carolinas Healthcare System employees were on an HSA.

Vice-Chairman Clarke commented on the high cost of pharmaceuticals.

Commissioner James said the proposed change could negatively impact lower paid employees and retirees.

Commissioner Cotham asked about mail order prescriptions, which was addressed.

County Manager Diorio said any recommended changes would be reflected in her recommended budget.

This concluded the discussion. No action was taken or required.

MAY 3, 2016

CLOSED SESSION

16-3268 CONSULT WITH ATTORNEY

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 5:47 p.m. and came back into Open Session at 5:51 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Vice-Chairman Clarke called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Leake, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3283 PROCLAMATION – OLDER AMERICANS MONTH

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a proclamation designating May 2016 as “Older Americans” month in Mecklenburg County.

The proclamation was read by Commissioner Leake and received by Mike Taylor with the Mecklenburg County Department of Social Services.

Mecklenburg County

North Carolina

Proclamation

WHEREAS, Mecklenburg County is a community where more than 140,000 citizens are aged 60 and older; and

WHEREAS, the older adults in Mecklenburg County are the roots from which our community grows, who bestow gifts of wisdom, experience and insight upon younger generations, and strengthen the bonds between neighbors to create a better place to live; and

WHEREAS, Mecklenburg County includes a thriving community of older Americans who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

WHEREAS, Mecklenburg County is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

WHEREAS, Older Americans Month provides an opportunity to raise awareness of the importance of community engagement as a tool for enhancing the wellbeing of older adults and making the benefits of community living a reality for more older Americans; and

WHEREAS, Older Americans Month acknowledges the perennial contributions of older adults to our nation and uses this opportunity to raise awareness about important issues facing older adults. It also highlights the ways that older Americans are advocating for themselves, their peers and their community;

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners, in conjunction with the national observance of Older Americans Month with the theme "*Blaze A Trail*," does hereby proclaim May 2016 as

"OLDER AMERICANS MONTH"

in Mecklenburg County and urges all residents to take time to honor and celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to our community.

This the 3rd day of May 2016.


Trevor M. Fuller, Chairman
Mecklenburg Board of County Commissioners



MAY 3, 2016

PUBLIC APPEARANCE

16-3266 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Adrienne Johnson spoke in support of the appeal from Charlotte-Mecklenburg Schools regarding funding of new construction projects and for improvements to existing programs and structures within the system. Ms. Johnson's children attend Waddell Language Academy, where she serves as the current PTSA president.

Rodger Nolden spoke in support of the appeal from Charlotte-Mecklenburg Schools (CMS) regarding funding of new construction projects, specifically, in the southwest part of the County. He also spoke in support of placing a school bond referendum on the ballot in November of this year and/or for a solution of some type to address the infrastructure needs of CMS.

Paul Williams addressed an exercise program for seniors at Mallard Creek Recreation Center conducted by Cheryl Thomas, a contracted instructor. The class is call "Light and Lively." Mr. Williams spoke very favorably of the program. He expressed concern, however, for a possible reduction in compensation for the instructor, per a compensation review conducted by Park and Recreation. Mr. Williams said he did not want to lose the program or Ms. Thomas because of a compensation issue.

APPOINTMENTS - NONE

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

**16-3272 NURSING HOME COMMUNITY AND ADULT CARE HOME COMMUNITY
ADVISORY COMMITTEE ANNUAL REPORT**

The Board received as information the Nursing Home Community and Adult Care Home Community Advisory Committee Annual Reports.

MAY 3, 2016

Lindsay Tice, Adult Care Home Regional Ombudsman and Hillary Kaylor, Nursing Home Regional Ombudsman, Centralina Council of Governments, Centralina Area Agency on Aging, gave the report.

A copy of the Report is on file with the Clerk to the Board.

Comments

Commissioners Scarborough and Leake expressed thanks to the Ombudsmen and committee members for all of their work.

Commissioner Cotham also expressed thanks. She asked was information available regarding the number of complaints and/or feedback received from families and/or residents in the facilities. *The Ombudsmen addressed how complaints were received and handled.*

Commissioner Cotham asked was it still the practice of nursing homes to maintain a log of complaints in the entryway. *The response was yes and that it's normally kept in the lobby area. It's the results of the facility's regulatory survey. The Ombudsmen suggested the best way to find the most recent information would be to go to the Medicare.gov website.*

Commissioner Cotham asked was there another resource for persons needing information with respect to nursing homes and/or adult care facilities. *It was noted that persons could contact the local Ombudsmen.*

Commissioner Cotham asked was there a link from the County's website to the Centralina Council of Governments' Centralina Area Agency on Aging site. *The Ombudsmen said not to their knowledge.*

Commissioner Cotham suggested a link be placed on the County's website that would connect to the Centralina Area Agency on Aging's site, if possible. *County Manager Diorio said staff would follow-up on the request.*

Vice-Chairman Clarke commented on in home care that many residents received. He asked if the Centralina Area Agency on Aging had any involvement in that area. *The Ombudsmen addressed "skilled home care" services and non-medical home care services, both aimed at keeping persons in their homes for as long as possible.*

Vice-Chairman Clarke asked the Ombudsmen if they were a point of contact for those types of services as well. *The response was that they would be a starting point for referring individuals to*

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the appropriate contacts.

Vice-Chairman Clarke thanked the presenters for their report, as well as, committee members for all that they do.

MANAGER'S REPORT

16-3281 LAW ENFORCEMENT SERVICE DISTRICT AND FIRE PROTECTION SERVICE DISTRICTS UPDATE

The Board received preliminary FY2017 budget estimates for the Law Enforcement Service District (LESD) and Fire Protection Service Districts (FPSD) from Management and Budget Director Michael Bryant.

Note: The Law Enforcement Service District (LESD), created by the Board effective January 1996, is used to finance and provide law enforcement services in the unincorporated areas of Mecklenburg County. According to the inter-local agreement between the City of Charlotte and Mecklenburg County, the County's share of the net Charlotte-Mecklenburg Police Department (CMPD) budget is based on the overall percentage of the unincorporated area population to the total population served by CMPD. In 2013, Mecklenburg County levied a Fire Protection Service District (FPSD) tax to pay for fire services in the towns and unincorporated area. A total of five service districts were created to service the extraterritorial jurisdictions (ETJs) left in the County. The ETJs include geography outside the four towns (Cornelius, Davidson, Huntersville and Mint Hill) and the City of Charlotte. These districts were created to fund the cost of providing fire protection services to all residents in the service district, with the cost burden carried by all service district property owners, through the fire protection service district.

A copy of the report is on file with the Clerk to the Board.

Comments

LESD

Commissioner Dunlap commented on the size of the law enforcement service district. He said the rate had not gone down even though the population within the LESD had decreased. He said at some point, residents within the LESD may end up paying the same rate as residents within the City of Charlotte or more.

Commissioner Dunlap asked was there a plan to address the issue of residents in LESD paying either the same rate or a higher rate than persons within the City of Charlotte.

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Director Bryant said the Board would have some tough decisions to make. He noted that the LESD was started in 1996 with the anticipation that it would go away as a result of annexations, but that had not happened.

Vice-Chairman Clarke said in 2003 or 2004, there was a Commission on the Future of Policing in Mecklenburg County. He said perhaps it was time to have that group reconvene to examine the issue.

Commissioner Puckett said preliminary discussions were currently taking place with the Towns of Cornelius and Huntersville regarding this issue.

Commissioner James said a law was passed by the N.C. legislature that gave authority to the towns' police departments to supervise their ETJ (extra territorial jurisdiction).

Commissioner James said it was his understanding that in light of that authority, the Town of Huntersville did not have to go to the Legislature in order to annex an ETJ in order to police it.

Commissioner James said the problem was that when the County asked the towns, years ago, how much they would charge to police the ETJ, the figures were "outrageous."

Commissioner James questioned why town officials weren't willing to offer the service at the same amount as CMPD. He said it would supplement their budget, allow them to hire more people, and provide better service.

Commissioner James said the towns could take it over and that he believed there was an eighteen month advance notice that had to be given to CMPD.

Commissioner Puckett commented on the notification process for terminating the interlocal agreement with CMPD.

County Attorney Bethune said there was a separate agreement between the County and the City of Charlotte with respect to law enforcement. County Attorney Bethune said the agreement could be terminated by giving fourteen months' notice.

County Attorney Bethune said the question would then be, how you go about providing law enforcement services to the unincorporated areas, at what cost, and by whom. Do you ask and fund the Sheriff to police the areas? Do you get legislation through the General Assembly to delegate it to the towns, assuming the towns wanted to do it?

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Commissioner Dunlap suggested a committee be formed, sooner rather than later, to take the necessary time to study the history and all of the intricacies involved, so that by this time next

year, the Board would be in a position to at least have a clue as to the direction it wanted to go; and to not “disadvantage” those citizens who live in the unincorporated area.

County Manager Diorio noted conversations with the Huntersville Chief of Police, Commissioner Puckett and the City Manager. She said the next step was for the Huntersville Police Chief to meet with the CMPD Police Chief, and the City Manager to talk about possible renegotiation for the Town of Huntersville.

County Manager Diorio said the meeting between City of Charlotte officials and Town of Huntersville’s officials was a good next step because if that portion could be renegotiated to satisfy their needs, then “that's the way to go.”

County Manager Diorio said one size would not fit all.

County Manager Diorio said she did not think the Town of Pineville was interested in changing the arrangement.

County Manager Diorio said terminating the agreement was not a viable option because there would still be unincorporated areas in Charlotte. She said this was not just a town issue.

County Manager Diorio said having conversations and negotiating individually with each entity was “the better way to go.”

Commissioner Dunlap said he was okay with that process, but that whatever ended up being decided, should be “fair and equitable across the board.”

Vice-Chairman Clarke said he concurred with the County Manager that it was better to address the issue on a one on one basis. He said each of the towns had a different set of circumstances that would have to be taken into consideration.

Commissioner Cotham suggested holding town hall meetings to ensure input from the residents in these areas. She said many residents were not pleased with the services provided by CMPD.

FPSD

Comments

MAY 3, 2016

Commissioner Dunlap commented on the use of surplus funds by fire departments. Commissioner Dunlap said he wanted to see specifically what items would be purchased by the fire departments and whether those purchases would improve the quality of services.

Commissioner Dunlap said an analysis was needed to determine if the rates should continue to increase.

Commissioner Puckett asked was there an opportunity to deny the request. *County Manager Diorio said the tax rate was and would be set and levied by the Board.*

Commissioner Puckett said based on what was presented, he wasn't sure the tax represented the need. Commissioner Puckett said the increase being requested by the towns opened up the opportunity for people who live in the ETJ to get an increase in taxes but not in services.

Commissioner Puckett said he, too, would like to see how the funds would be spent by the fire departments.

Commissioner James noted that he was opposed to setting up the FPSD when it occurred. He elaborated on what he thought should have happened.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

16-3264 COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM -- FEDERAL FISCAL YEAR 2016-17 ANNUAL ACTION PLAN SUMMARY

Assistant to the County Manager Timmothy Tibbs addressed the proposed Federal Fiscal Year 2016-17 Annual Action Plan for Mecklenburg County's Community Development Block Grant (CDBG) program, funded by the US Department of Housing and Urban Development. He was assisted by Victoria Rittenhouse with the Centralina Council of Governments.

Note: As required by the U.S. Department of Housing and Urban Development (HUD), Mecklenburg County prepares an Annual Action Plan each year, that describes the funding levels and activities to be undertaken during the individual upcoming program year for the CDBG program to address the priority needs and objectives as outlined in the Consolidated Plan. As an entitlement community, Mecklenburg County receives an annual share of federal

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Community Development Block Grant funds. In order to receive its CDBG entitlement funding, the County must submit the Annual Action Plan to HUD. The Federal Fiscal Year 2016-17 (October 2016 - September 2017) Annual Action Plan includes the funding application for CDBG funds in the amount of \$744,608.

A copy of the plan is on file with the Clerk to the Board.

Comments

Commissioner James said he was supportive of the request but questioned whether or not this was “true” housing. He said it appeared to be more urban development.

Commissioner Leake asked about the decision process for determining which projects to include, which was addressed.

Commissioner Leake asked that going forward consideration be given to including lighting projects in communities.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the Federal Fiscal Year 2016-17 Annual Action Plan for Mecklenburg County's Community Development Block Grant program, funded by the US Department of Housing and Urban Development.

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3279 2016 BOCC MEETING SCHEDULE -- AMEND (CHAIRMAN FULLER)

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the 2016 BOCC Meeting Schedule to move the Tuesday, June 7, 2016 meeting to Wednesday, June 8, 2016.

Note: At its November 17, 2015 meeting, the Board adopted its 2016 Meeting Schedule. On that schedule, the Board approved meeting on Tuesday, June 7, 2016. The Second Primary Election that was scheduled for Tuesday, May 3, 2016 was cancelled and rescheduled for June 7, 2016.

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CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the following item(s):

16-3251 PROCLAMATION – THE BIG SPRING CLEAN DAY

Adopt a proclamation designating Saturday, May 14, 2016 as The Big Spring Clean Day in Mecklenburg County.

MAY 3, 2016

Mecklenburg County

North Carolina

Proclamation

WHEREAS, the County of Mecklenburg is rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and

WHEREAS, trash fouls our waterways as well as our landscapes; and

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings; and

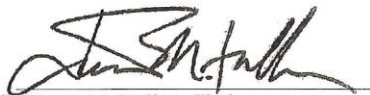
WHEREAS, The Big Spring Clean is a local community effort to retrieve trash from Mecklenburg County's waterways and landscapes.

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners, do hereby proclaim, May 14, 2016 as

"THE BIG SPRING CLEAN DAY"

in Mecklenburg County and commend its observance to all citizens.

Adopted this the 3rd day of May, 2016.



Trevor M. Fuller, Chairman
Mecklenburg Board
of County Commissioners



MAY 3, 2016

16-3267 MINUTES

Approve Minutes of Regular meeting held April 19, 2016 and April 5, 2016.

16-3270 PROCLAMATION – INTERNATIONAL INTERNAL AUDIT AWARENESS MONTH

Adopt a proclamation designating May 2016 as International Internal Audit Awareness Month in Mecklenburg County.

Mecklenburg County

North Carolina

Proclamation

WHEREAS, The Institute of Internal Auditors has designated May 1st through May 31st as 'International Internal Audit Awareness Month'; and

WHEREAS, internal auditing is a vital part of strengthening organizations and protecting stakeholders of both the public and private sectors; and

WHEREAS, internal auditing helps identify and manage the organization's risk and ensure policies, procedures, and controls are in place and working appropriately; and

WHEREAS, internal auditing is an increasingly sophisticated and complex activity requiring specialized knowledge, training, and education; and

WHEREAS, internal auditing is an established profession, led by The Institute of Internal Auditors, with a globally recognized code of ethics and *International Standards for the Professional Practice of Internal Auditing*; and

WHEREAS, the contribution of internal auditors to the success of organizations and the global economy at large deserves our recognition and commendations:

NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg Board of County Commissioners does hereby proclaim, May 1st through May 31st, 2016 as

"INTERNATIONAL INTERNAL AUDIT AWARENESS MONTH"

in Mecklenburg County and encourage all citizens to join us in recognizing 'International Internal Audit Awareness Month' and the important role internal auditors play in our community.

Signed this 3rd day of May 2016.


Trevor M. Fuller, Chairman
Mecklenburg Board of County Commissioners



MAY 3, 2016

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3248 4TH STREET PARKING DECK -- PARKING ACCESS AND REVENUE COLLECTION SYSTEM

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to recognize and appropriate \$650,000 in parking revenue in the capital reserve fund for 4th Street Parking Deck renovations; and to award a contract to Carolina Time Equipment Company, Inc. in the amount of \$393,323.00, for the purchase and installation of the Parking Access and Revenue Collection System at the 4th Street Parking Deck.

Commissioner Leake removed this item from Consent for more public awareness.

16-3265 BUDGET AMENDMENT – DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

- 1) Recognize, receive and appropriate Medicaid revenue in the amount of \$300,000.

Note: The Medicaid transportation budget is in need of an additional \$300,000 due to increased ridership and contractual increases for the current fiscal year. The funds will be used to transport adults and children authorized to receive Medicaid transportation to and from medical destinations. This program is reimbursed at 100% and no additional County funds are needed.

- 2) Recognize, receive and appropriate other revenue in the amount of \$4,000.

Note: The funds budgeted in the Senior Nutrition Program budget was primarily used for operational expenses and for purchase of congregate and home-delivered meals. In addition to providing meal service, it aims at providing opportunities to seniors that promote social well-being, health and wellness. The seniors donate money to be used to pay for additional expenses such as exercise programs and recreational activities that seniors are interested in, but not funded to that level in the budget.

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Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:56 p.m.

Janice S. Paige, Clerk

Dumont Clarke, Vice-Chairman

MAY 17, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 17, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Dumont Clarke

-INFORMAL SESSION-

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3288, 16-3300, and 16-3314 to be removed from Consent and voted upon separately.

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STAFF BRIEFINGS – MANAGER’S REPORT

Deputy County Manager/Chief of Staff Chris Peek addressed the logistics for attendance at the North Carolina Association of County Commissioners General Assembly Day on Wednesday, May 18, 2016 in Raleigh. *Note: Several Commissioners planned to attend the event.*

Deputy County Manager/Chief of Staff Peek addressed NC Senate Bill 846, House Bill 1111, and proposed Senate Bill 532.

NC Senate Bill 846: AN ACT TO CHANGE THE LOCAL OPTION SALES TAX (LOST) ADJUSTMENT FACTOR TO ONE THAT VARIES BY ECONOMIC DEVELOPMENT TIERS AND TO REPEAL THE STATE CONTRIBUTION TOWARD THE LOST ADDITIONAL SALES TAX DISTRIBUTION

House Bill 1111: AN ACT TO CHANGE THE STATE AND LOCAL FUNDING METHOD FOR CHARTER SCHOOLS AND TO APPROPRIATE ADDITIONAL FUNDS NECESSARY TO IMPLEMENT THE CHANGE

Proposed Senate Bill 532: AN ACT TO MAKE CLAIMANTS INVOLUNTARILY ASEXUALIZED OR INVOLUNTARILY STERILIZED UNDER COUNTY AUTHORITY QUALIFIED RECIPIENTS UNDER THE EUGENICS COMPENSATION PROGRAM

It was noted with respect to proposed Senate Bill 532 that six to eight individuals may be impacted. Also that Senator Jeff Jackson, sponsor of the bill, was willing to put in a cap with respect to the amount of compensation. The recommended cap is \$300,000, which would amount to \$50,000 per person. It was noted that \$50,000 was the amount other individuals within this category were compensated for by the State.

Deputy County Manager/Chief of Staff Peek said direction was needed from the Board with respect to proposed Senate Bill 532. It was noted that Senator Jackson was waiting on the Board’s feedback before deciding whether to file the bill by the May 19, 2016 filing deadline.

Deputy County Manager/Chief of Staff Peek said staff would keep the Board abreast of the movement of each bill.

Comments

Commissioner James with respect to House Bill 1111 asked was it correct that the bill would allow the State and the County to fund charter schools directly versus the

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current method of providing that funding to Charlotte-Mecklenburg Schools, who would then make an allocation to charter schools. *The response was yes, that was correct.*

Commissioner James with respect to proposed Senate Bill 532, asked whether compensation would be limited to those that were alive. *Deputy County Manager/Chief of Staff Peek said yes. He said it was his understanding that if they were alive at the time of filing but passed away before adoption of the bill, their estate would be eligible to receive the compensation.*

Commissioner Leake with respect to proposed Senate Bill 532, said a meeting was held here in the County two years ago regarding this issue and in attendance were individuals impacted by eugenics. Commissioner Leake said at that time, Senator Thom Tillis indicated that the State should be responsible for compensating those individuals that were impacted as a result of action taken by counties. Commissioner Leake questioned whether the County should be responsible versus the State, based on the comments made at the meeting she referenced.

Deputy County Manager/Chief of Staff Peek said he was not able to address the meeting referenced by Commissioner Leake, however, it was his understanding there was a challenge to the fact that the State only compensated those individuals impacted by sterilization actions of the State and those impacted by actions of counties were not eligible for those compensation funds.

Commissioner Ridenhour with respect to proposed Senate Bill 532, asked for clarity regarding who and who had not been compensated, which was addressed.

Deputy County Manager/Chief of Staff Peek said it was his understanding that the individuals addressed in Senator Jackson's proposed bill weren't compensated by the State, because the sterilization was done by the county without authorization from the State. He said the State apparently decided it would not be responsible for those individuals, even though the county was following the State's practice at that time. It was noted that this occurred back in the 1930's and 1940's.

Commissioner Ridenhour asked for insight from the County Attorney regarding proposed Senate Bill 532 and whether this could set a precedent or subject the County to some other exposure.

County Attorney Bethune said the General Assembly had the right to make such a determination. County Attorney Bethune said he was not familiar with any other bill of this nature.

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Commissioner Ridenhour asked was it possible that persons could receive compensation as a result of the passage of the bill and then decide to sue the County for additional compensation.

County Attorney Bethune said it was possible but the chances of winning was probably remote.

County Manager Diorio said she was informed by Senator Jackson and Senator Jeff Tarte, that if the County supported the legislation, the bill would be filed. If the County was not supportive, then the bill would not be filed.

Commissioner Ridenhour said the action that took place years ago, "forced sterilization," was a "gross encroachment upon an individual's personal liberty." He said persons impacted in this manner by counties, should be compensated the same as those compensated by the State.

Commissioner Scarborough spoke in support of compensating those impacted by action of the County.

Commissioner Puckett expressed support of the proposed bill and said he would like to see a condition placed on it that would avoid any lawsuits being filed against the County.

Commissioner Dunlap entered the meeting.

Commissioner James expressed support of the proposed bill and said he would like staff and the County Attorney to make sure the appropriate language was used to ensure a cap on the amount of compensation to be allocated, for this issue only and not others, as well as, some sort of indemnity or release from further claims. Commissioner James said his support was contingent upon staff being able to negotiate and get the appropriate language in the bill.

Deputy County Manager/Chief of Staff Peek said staff would work with County Attorney Bethune regarding this matter.

It was the consensus of the Board to use the State's guidelines as it related to determining whether someone was eligible to receive compensation.

Commissioner Scarborough asked for clarity regarding identifying individuals that were eligible for compensation. *Deputy County Manager/Chief of Staff Peek said it had to be the individual that the procedure was performed on.*

Chairman Fuller expressed concern for the amount of County compensation in comparison to

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the amount provided to individuals by the State, if the County ended up having more than six individuals. Chairman Fuller said he would want County impacted individuals to receive the same amount as those that were compensated by the State.

Deputy County Manager/Chief of Staff Peek said to staff's awareness, currently there were only six individuals that fell into this category, which was where Senator Jackson came up with the \$300,000 overall cap and an individual cap of \$50,000.

County Manager Diorio said she would be speaking with Senator Jackson later regarding the Board's response. She noted that based on the Board's comments, the overall cap would be \$300,000 with an individual cap of \$50,000. Further, that there would need to be additional language relieving the County of any further claims, as well as, other possible language as determined by the County Attorney.

Motion was made by Commissioner Ridenhour, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to support the filing of proposed Senate Bill 532: **AN ACT TO MAKE CLAIMANTS INVOLUNTARILY ASEXUALIZED OR INVOLUNTARILY STERILIZED UNDER COUNTY AUTHORITY QUALIFIED RECIPIENTS UNDER THE EUGENICS COMPENSATION PROGRAM**, sponsored by Senator Jeff Jackson.

Commissioner Puckett, with respect to another legislative matter, said it was his understanding the bill to cancel the I-77 Toll Road contract would likely come out of committee tomorrow, May 18, 2016 and move on to the full House. He encouraged Commissioners attending NC General Assembly Day to encourage members of the House and the Senate to consider supporting the bill.

CLOSED SESSION

16-3290 CONSULT WITH ATTORNEY

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

REMOVAL OF ITEMS FROM CONSENT

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett,

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Ridenhour, and Scarborough voting yes, to move Item 16-3314 Proclamation – Mecklenburg Declaration of Independence Day from the Consent section of the agenda to Awards/Recognition.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, Invocation by Commissioner Leake, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

**16-3314 PROCLAMATION – MECKLENBURG DECLARATION OF INDEPENDENCE DAY
(COMMISSIONER RIDENHOUR)**

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a proclamation designating May 20, 2016 as "Mecklenburg Declaration Of Independence Day in Mecklenburg County" in commemoration of the signing of the Mecklenburg Declaration (MeckDec) of Independence on May 20, 1775.

The proclamation was read by Commissioner Ridenhour and received by Lauri Eberhart with the May 20th Society. The May 20th Society is a non-profit 501(c)(3) organization that endeavors to capture and celebrate Charlotte's rebellious and visionary spirit and history—a history that began on May 20, 1775, when two dozen prominent civic leaders signed and approved The Mecklenburg Declaration of Independence (MeckDec) – the first declaration of independence in America. Since 2003, The May 20th Society has been raising funds to bring history alive in Charlotte with its speaker series, noon commemoration of the MeckDec, unveiling of *The Spirit of Mecklenburg* statue and creation of the Charlotte Liberty Walk.

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Mecklenburg County

North Carolina

Proclamation

WHEREAS, on May 19, 1775, Charlotte Town's founder, Colonel Thomas Polk, called for a convention of the Mecklenburg County militia leaders to be held in Charlotte; and

WHEREAS, those twenty-six men, upon hearing of the Battles of Lexington and Concord, which had occurred exactly one month earlier, unanimously adopted resolutions to declare themselves "a free and independent people" in a document that came to be known as the Mecklenburg Declaration of Independence (or "MecDec"); and

WHEREAS, at noon on May 20, 1775, Colonel Polk read the Mecklenburg Declaration of Independence from the steps of the County Courthouse to the assembled citizens; and

WHEREAS, on May 31, 1775, members of the Mecklenburg Committee of Safety adopted twenty additional resolutions to directly govern themselves, which came to be known as the Mecklenburg Resolves; and

WHEREAS, a local tavern owner named Captain James Jack was called upon to deliver, on horseback, the Mecklenburg Declaration of Independence and Mecklenburg Resolves to North Carolina's delegates at the Second Continental Congress in Philadelphia; and

WHEREAS, Captain Jack completed his errand, delivering the Mecklenburg Declaration of Independence and telling the delegates that "*gentlemen, you may debate here about reconciliation and memorialize your king, but, bear it in mind, Mecklenburg owes no allegiance to, and is separated from the crown of Great Britain forever!*"; and

WHEREAS, President John Adams was to later write of the Mecklenburg Declaration of Independence that, "*the genuine sense of America at that moment was never expressed so well before, nor since*"; and

WHEREAS, Charlotte's Revolutionary spirit was personified by the words of British Cavalry officer Banastre Tarleton, who observed, "*the counties of Mecklenburg and Rohan were more hostile to England than any other in America*"; and

WHEREAS, the State of North Carolina has chosen to recognize the significance of the Mecklenburg Declaration of Independence by placing the date of its signing "May 20, 1775" upon our State Flag and Great Seal; and

WHEREAS, this May 20, 2016, being the 241st anniversary of that memorable date, "The May 20th Society" is unveiling a North Carolina State Historical Marker on Independence Square in commemoration of the Mecklenburg Resolves;

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners call upon all citizens to join us in commemorating the 241st anniversary of the signing of the Mecklenburg Declaration of Independence and does, hereby, proclaim May 20, 2016 as

"MECKLENBURG DECLARATION OF INDEPENDENCE DAY"

in Mecklenburg County.



Trevor M. Fuller, Chairman
Mecklenburg Board of County Commissioners



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PUBLIC APPEARANCE

16-3285 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Sheila Neisler and Dr. Lloye Dillon, Ph. D. addressed the UNC-Charlotte Medical/Business Breakthrough—OncoTab product launch. The following was noted: OncoTab Agkura™ Personal Score is a new, non-invasive blood test to enhance, and potentially save, the lives of women with dense breasts; led by the award-winning Pinku Mukherjee, Ph. D. OncoTab was created for women, in partnership with their physicians, to monitor the levels of tMUC1, a tumor-associated protein that is present in over 90% of breast cancers. The OncoTab Agkura™ Personal Score is the first healthcare product to be developed and launched on the campus of UNC-Charlotte for commercial use.

Commissioner Scarborough noted that the formal product launch would take place on May 19, 2016, 4:30-6:30 p.m., Portal Building at UNC-Charlotte.

Pamela Grundy spoke in support of additional school funding to address the inequalities that existed within the local school system.

Kim Riddle (parent), Tracy Battle (teacher), Anna Beeman (teacher) and student Salita Moore, LaFonda General (parent), Rickey Hall (community leader), and Jerrod Jones, on behalf of OneCharlotte, spoke in support of a fall 2016 bond referendum for Charlotte-Mecklenburg Schools (CMS). They each addressed maintenance and building needs that existed throughout the CMS school system.

Ms. Riddle asked the Board to do the following: 1) announce a date on which the Board would consider voting to place a CMS bond referendum on the Fall 2016 ballot, or 2) if a date would not be announced, set up a meeting with OneCharlotte and community leaders to explain what the County would do for students in the fall to address the capital needs, and 3) announce publically what the County would do in the fall.

Ivonne Lago (parent), Becca Kucera (parent), Alex Pasola and Julian Codrington (students) addressed overcrowding and the need for a new school facility for Collinswood Language Academy. They spoke in support of a Fall 2016 CMS bond referendum.

APPOINTMENTS

16-3259 NOMINATIONS/APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

Motion was made by Commissioner James seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Jennifer Stanton to the Alcoholic Beverage Control Board for a three-year term, expiring June 30, 2019.

The following persons were nominated for appointment consideration:

Kenneth "Ken" Carrick	by Commissioner James
Carl Daniel	by Commissioner Leake
John Ham	by Commissioner Scarborough
Jerry Neal	by Commissioner Puckett
Howard Phillips	by Commissioner Dunlap
Lee Ratliff	by Commissioner Leake

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close nominations for appointment consideration to the Alcoholic Beverage Control Board.

Note: An appointment will occur following the receipt of a recommendation from the Board's Ad Hoc Committee.

The Alcoholic Beverage Control Board is one of several boards that require an interview process of those nominated, conducted by an Ad Hoc Committee of the Board appointed by the Chairman. This does not apply to persons reappointed.

Commissioners Cotham, Dunlap, Leake, and Scarborough volunteered to serve on the Ad Hoc Committee.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Dunlap seconded by Commissioner Ridenhour and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett,

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Ridenhour, and Scarborough voting yes, to reappoint Brian Cox (At-Large), Aubin Guinness (Northern Town), and Mary Foxx Johnson (Central Region 1) to the Park and Recreation Commission for three-year terms, expiring June 30, 2019.

Motion was made by Commissioner Dunlap seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Kendel Bryant (North Region 3) and Elaine Powell (North Region 1) to the Park and Recreation Commission, for three-year terms, expiring June 30, 2019.

Note: Both have served two consecutive terms, but were willing to continue to serve since there were no applicants for the slots they served in.

Tristan McMannis spoke in favor of the reappointment of Elaine Powell, Kendel Bryant, and Douglas Burnett to a third term on the Park and Recreation Commission.

The following persons were nominated by Commissioner Dunlap for appointment consideration to the Park and Recreation Commission for South Region 1: Douglas Burnett and Shana Hannibal.

The following persons were nominated by Commissioner Dunlap for appointment consideration to the Park and Recreation Commission for South Region 3: Peter Engels and Marc Seelinger.

Note: Appointments will occur at the June 8, 2016 meeting.

PLANNING COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Michael Sullivan to the Planning Commission for a three-year term expiring June 30, 2019.

The following persons were nominated for appointment consideration to the Planning Commission:

Christopher Brown
John Ham

by Commissioner Ridenhour
by Commissioner Leake

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Motion was made by Commissioner Ridenhour, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close nominations for appointment consideration to the Planning Commission.

Note: An appointment will occur following the receipt of a recommendation from the Board's Ad Hoc Committee.

The Planning Commission is one of several boards that require an interview process of those nominated, conducted by an Ad Hoc Committee of the Board appointed by the Chairman. This does not apply to persons reappointed.

Commissioners Leake, Ridenhour and Scarborough volunteered to serve on the Ad Hoc Committee.

PUBLIC HEARINGS

16-3287 PROVIDENCE DAY SCHOOL TEFRA PUBLIC HEARING

Note: Providence Day School (the "School") is in the process of working out arrangements to finance the costs of constructing, improving and renovating school and other facilities, including an academic center, campus gateway building, parking deck and other facilities, all located on the School's campus at 5800 Sardis Road, Charlotte, North Carolina 28270, for use by the School as educational facilities and to pay certain expenses incurred in connection with the issuance of the Bond. To finance the proposed project, the School has requested that the Public Finance Authority, a public body created under the laws of the State of Wisconsin, issue bonds on behalf of the School, which will allow the School to obtain favorable financing terms that would not otherwise be available if the bonds were issued by a North Carolina issuer. In order to comply with federal law, the School requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the bond issue. The approval would not make the County responsible in any way for the bonds or the project financed with bond proceeds. Hosting the public hearing and approving the issuance of the bonds are merely ministerial acts that would enable the School to comply with federal tax law requirements.

Motion was made by Commissioner Ella B. Scarborough, seconded by Commissioner George Dunlap and unanimously carried with Commissioners Cotham, Fuller, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes to open the public hearing.

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WHEREAS, at 7:10 P.M., the Chairman announced that the Board of Commissioners (the “Board”) would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the “Authority”), a unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding \$13,500,000 of its Educational Facilities Revenue Bond (Providence Day School) Series 2016 (the “Bond”);

WHEREAS, the Authority will loan the proceeds of the Bond to Providence Day School, Inc., a North Carolina nonprofit corporation (the “Borrower”) and designated as an organization described in Section 501(c)(3) of the Internal Revenue Code (the “Code”), and the Borrower, pursuant to the plan of finance, will use the proceeds of the loan from the Authority to (1) finance the costs of constructing, improving and renovating school and other facilities, including an academic center, campus gateway building, parking deck and other facilities, all located on the Corporation’s campus at 5800 Sardis Road, Charlotte, North Carolina 28270, for use by the Corporation as educational facilities (collectively, the “Project”) and (2) pay certain expenses incurred in connection with the issuance of the Bond by the Authority;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries a project is located, which with respect to the Project is Mecklenburg County, North Carolina;

WHEREAS, the Borrower has requested that the Board approve the financing of the Project, and the issuance of the Bond in an amount not to exceed \$13,500,000 in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010, and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, on May 3, 2016 a notice of public hearing was published in the *Mecklenburg Times*, setting forth a general, functional description of the type and use of the facilities to be financed, the maximum principal amount of the Bond, the initial owner, operator or manager of the facilities and the location of the facilities, among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bond or who responded in writing to the notice of public hearing are as follows: **[None]**

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

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WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), in order to qualify the interest on the Bond for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

After the Board had heard all persons who had requested to be heard, Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Jim Puckett and was unanimously adopted.

Commissioner George Dunlap introduced and moved for the adoption of the following resolution, a copy of which had been distributed to each Commissioner:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$13,500,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE BOND (PROVIDENCE DAY SCHOOL) SERIES 2016 TO FINANCE CERTAIN COSTS OF VARIOUS PROJECTS ON BEHALF OF PROVIDENCE DAY SCHOOL

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the sole purpose of qualifying the interest on the Bond for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bond by the Authority for the purpose of providing funds to finance the Project, *provided that* in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bond nor shall the Bond constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bond by the applicable elected representative of the Project Jurisdiction for the Project, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code and Section 66.0304(11(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Commissioner Jim Puckett seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller,

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Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Resolution/Extracts recorded in full in Minute/Ordinance Book _____, Doc. # _____.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

RELAY FOR LIFE

County Manager Diorio shared a video of County employees participating in the American Cancer Society's Relay For Life event held May 14, 2016 in First Ward Park in Uptown Charlotte. It was noted that County employees raised \$35,000 to support the American Cancer Society's work in cancer research and support.

16-3258 REPORT ON THE RESULTS OF THE ECKERD STUDY

The Board received as information a report regarding a review of the Mecklenburg County Department of Social Services Division of Youth and Family Services Child Welfare System of Care conducted by Eckerd Kids Evaluation team.

Ron Zychowski with Eckerd Kids, presented the report.

Note: Eckerd Kids is a non-profit human services organization that provides an array of Child Welfare, Juvenile Justice, Workforce Development and innovative Quality Assurance services. In November 2015, the Eckerd Evaluation team conducted a study on the Mecklenburg County Department of Social Services Division of Youth and Family Services Child Welfare System of Care. The opinions and recommendations are those of the Eckerd Evaluation team.

A copy of the report is on file with the Clerk to the Board.

Comments

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Commissioner Puckett asked for clarity regarding the Data and Outcomes information included in the report with respect to Permanency within 12 months and within and after 24 months, which was addressed.

Commissioner Puckett asked about the role of the courts in the permanency process, which was addressed.

Commissioner Scarborough said receipt of the report gave her better understanding of this County service.

Commissioner Dunlap asked were children going home with their parents or with a new family, which was addressed.

Commissioner Dunlap asked for clarity with respect to the Reentry process and the Recurrence of Maltreatment, which was addressed.

Commissioner Dunlap commented on the importance and benefits of making data driven decisions.

Commissioner Cotham complimented the presenter on the depth of the information provided to the Board.

Commissioner Cotham expressed the desire to have further discussion of the issue at a future Budget/Public Policy meeting.

Commissioner Leake thanked the presenter and staff for all of their hard work.

Commissioner Ridenhour complimented staff on its work and for the report.

Commissioner Ridenhour noted a recent incident in the community where children were left wandering on the street near the Police Station. He acknowledged that he did not have the details of how or why that occurred, but he hoped that particular case is reviewed thoroughly in keeping with the Eckerd Kids report to see where there may be gaps. He said the hope would be to have something in place to avoid a reoccurrence of that type of incident.

Commissioner Dunlap noted with respect to the incident referenced by Commissioner Ridenhour that to his knowledge, when the County was notified, staff went into action immediately.

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County Manager Diorio said the specifics of the individual involved in the case referenced by Commissioner Ridenhour could not be disclosed. She said the Board could be assured that what was done on the part of staff was appropriate. She said staff was evaluating that occurrence.

County Manager Diorio addressed next steps, per the Eckerd Kids Report.

Chairman Fuller thanked the presenter for the report and staff for taking the initiative to have the study done.

Chairman Fuller said what he gathered from the report was that the County should document what it was doing and should do something with the data that's generated.

Chairman Fuller said taking care of children that fall into this category was one of the most important responsibilities of the County.

Chairman Fuller commented on the Permanency issue and the involvement of the courts.

Chairman Fuller said there may be some legislative things that may need to be done, in order to change the "trajectory" of numbers addressed in the report.

Chairman Fuller said he, too, looked forward to the Board having a more detailed discussion of the issue.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3299 FEATURE AGENCY PRESENTATION: MECKLENBURG EMS AGENCY

The Board received as information a report from the Mecklenburg EMS Agency.

Medic Executive Director Joe Penner gave the report. The report addressed Medics' mission and responsibilities, performance, and challenges.

A copy of the report is on file with the Clerk to the Board.

Comments

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Chairman Fuller thanked Director Penner for the report and the men and women who provided such a valuable service to the community.

Commissioner Puckett asked about population growth, which was addressed.

Commissioner Dunlap asked about the number of transports, which was addressed.

Commissioner Ridenhour asked about response time and communication with other agencies, which was addressed.

16-3301 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly departmental management reports for May 2016.

Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

Commissioner Scarborough left the dais and was away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Ridenhour voting yes, to approve the following item(s):

MAY 17, 2016

16-3277 GRANT APPLICATION – FEMA LETTERS OF MAP CHANGE - LUESA

Approve submittal of a grant application for up to \$40,000 with the Federal Emergency Management Agency (Letters of Map change); and if awarded, recognize, receive and appropriate grant funds for the duration of the grant; and authorize the County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement.

Note: On July 1, 2006, Charlotte-Mecklenburg became the first local entity in the country to be given the authority to process Letters of Map Change (LOMCs) as part of a FEMA pilot program. These LOMCs make conditional and permanent changes to our Flood Insurance Rate Maps, which are used for floodplain management activities such as rating flood insurance, regulating development, assessing existing flood risk, etc.

16-3284 CONSTRUCTION CONTRACT – CAMPBELL CREEK GREENWAY

Award a construction contract to Eagle Wood, Inc. in the amount of \$1,410,140.50 for the construction of Campbell Creek Greenway.

16-3289 MINUTES

Approve Minutes of Regular meeting held May 3, 2016.

16-3291 2015 GREENWAY MASTER PLAN REVISIONS

Approve revisions to the 2015 Greenway Master Plan to accommodate the preferred alignment of the Cross Charlotte Trail.

Note: Two areas within the County warrant revision to improve the trail alignment: North Charlotte and an overland trail between Little Sugar Creek Greenway and McMullen Creek Greenway. These revisions will improve connectivity to major destinations and existing greenways. Design of the Cross Charlotte Trail is underway.

MAY 17, 2016

16-3292 LAND DONATION – LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary to accept the donation of a portion of Tax Parcel 175-121-05 (± 2.1155 acres) from Stratford Venture, LLC for the future construction of Little Sugar Creek Greenway (also known as Cross Charlotte Trail).

16-3293 EASEMENT DONATION – MALLARD CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of a temporary construction easement (± 0.776 acres) and a permanent greenway easement (maximum 30 feet wide) on tax parcel 051-411-07 from Pavilion Village, LLC for the future construction of an access trail for Mallard Creek Greenway trail.

16-3294 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Recognize, receive and appropriate a net increase in revenue in the amount of \$175,331.

Note: The net increase is to reflect actual State, Medicaid and other funding changes. The Health Department is modifying the revenue budget based on revenue collection and year-end projections. Adjustments include a net decrease in State funding of \$14,920 which consists of a reduction of \$17,440 in the Care Coordination for Children and an increase in Child Development Community Policing of \$2,520. Other revenue adjustments include: an increase in Medicaid revenue of \$96,241 in the CDSA Children's Developmental Services, an increase in Medicaid revenue of \$30,000 in TB/Refugee, an increase in fees and charges of \$17,010 in Food and Lodging, and an increase in fees and charges of \$47,000 in Vital Records.

16-3298 STORM WATER FEE – PUBLIC HEARING ON THE TOWN OF MATTHEWS MINOR SYSTEM RATES

Set a public hearing on June 8, 2016 for proposed changes in the Minor System component of the Town of Matthews storm water fees.

MAY 17, 2016

16-3303 GRANT APPLICATION – NCDOTSTP DA BICYCLE AND PEDESTRIAN GRANT APPLICATIONS FOR NCDOTFY16 – 25.

Approve the submission of grant applications by Mecklenburg County Park and Recreation for federal funding for up to five NCDOTSTPDA (State Transportation Program - Direct Attributable) Grants to help fund the construction of Four Mile Creek Greenway, Toby Creek Greenway Phase 2B and Little Hope - Briar Creek Greenway (A total of up to \$4.5 million in possible grant dollars.)

Notes: Application due date was May 9, 2016.

16-3304 TAX REFUNDS

Approve refunds in the amount of \$415,778.07 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$10,727.36.

A list of the taxpayer recipients is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3288 LIGHTING AGREEMENT – GREENWAY FROM SUMMIT AVENUE TO ELLIOT STREET

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Ridenhour voting yes, to authorize the County Manager to execute a 10-year NC Service Agreement with Duke Energy in the amount of \$43,257.60 (\$360.48 per month) for additional lighting along the greenway from Summit Avenue to Elliot Street.

MAY 17, 2016

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Scarborough returned to the dais.

16-3300 HEALTHIEST CITIES & COUNTIES CHALLENGE PRIZE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to request permission to apply for Healthiest Cities & Counties Challenge for \$10,000 incentive funding to expand Village HeartBEAT; and if awarded, recognize, receive and appropriate awarded funds for the grant period.

Note: The Mecklenburg County Health Department requested approval to apply for the Healthiest Cities & Counties Challenge where U.S. cities, counties and federally recognized tribes would compete to move the needle toward healthier and more equitable communities. Building on the Village HeartBEAT community framework, this award would expand faith-based organizations participating in Village HeartBEAT and increase the implementation of policy interventions impacting tobacco, nutrition and physical activity in faith-based environments.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:57 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, June 8, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Chairman Fuller was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Vice-Chairman Clarke, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3312, 16-3326, 16-3342, 16-3343, and 16-3349 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

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REVISED
CLOSED SESSION

16-3332 LAND ACQUISITION
16-3354 CONSULT WITH ATTORNEY

Prior to going into Closed Session County Attorney Bethune announced there was no Consult with Attorney matter to be discussed in Closed Session.

County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels: 103-041-99, 069-071-09, 069-071-10, 069-071-01, 069-113-09, 069-113-08, 069-113-06, 069-113-02, 069-077-08, 069-076-26, 069-076-24, 069-076-21, 069-076-20, 069-076-19, 069-076-18, 069-076-16, 069-082-06, 069-082-07, 069-081-03, 069-081-05, 069-071-24, 069-082-08, 069-113-04, 069-113-05, and 069-113-07.

Motion was made by Commissioner Scarborough, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:18 p.m. and came back into Open Session at 5:50 p.m.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move Item 16-3356 Resolution – “Stepping Up” Initiative from the Consent section of the Agenda to the Awards/Recognition section.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Vice-Chairman Clarke called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Puckett, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3356 RESOLUTION – “STEPPING UP” INITIATIVE

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt resolution entitled Resolution Of Mecklenburg County Board Of Commissioners In Support Of The “Stepping Up Initiative To Reduce The Number Of People With Mental Illnesses In Jails,” to recognize Mecklenburg County as part of the “Stepping Up” Initiative.

Note: The “Stepping Up” Initiative is creating a long-term national movement to raise awareness of the factors contributing to the over-representation of people with mental illnesses in jails. The National Association of Counties (NACo), Council of State Governments (CSG) Justice Center, and American Psychiatric Foundation have come together to lead this national initiative to help advance counties’ efforts to reduce the number of adults with mental and occurring substance use disorders in jails.

The resolution was read by Commissioner Dunlap and received by Connie Mele with the Health Department.

**Resolution of Mecklenburg County Board of Commissioners in Support of the
“Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails”**

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jail each year; and

WHEREAS, prevalence rates of serious mental illnesses in jails are three to six times higher than for the general population; and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and

WHEREAS, adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism than people without these disorders; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, without the appropriate treatment and services, people with mental illnesses continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals and their families; and

WHEREAS, Mecklenburg County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and

WHEREAS, while Mecklenburg County adults have access to a psychiatric emergency room and a limited number of

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other crisis resources, the County Jail still serves as one of the largest mental health providers in the area; and

WHEREAS, through *Stepping Up*, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Foundation are encouraging public, private and nonprofit partners to reduce the number of people with mental illnesses in jails;

NOW, THEREFORE, BE IT RESOLVED, THAT, the Mecklenburg Board of County Commissioners does hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail, commit to sharing lessons learned with other counties in our state and across the country to support a national initiative and encourage all county officials, employees and residents to participate in *Stepping Up*. We resolve to utilize the comprehensive resources available through *Stepping Up* to:

- Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to safely reducing the number of people with mental illnesses in jails.
- Collect and review prevalence numbers and assess individuals' needs to better identify adults entering jails with mental illnesses and their recidivism risk, and use that baseline information to guide decision making at the system, program, and case levels.
- Examine treatment and service capacity to determine which programs and services are available in the county for people with mental illnesses and co-occurring substance use disorders, and identify state and local policy and funding barriers to minimizing contact with the justice system and providing treatment and supports in the community.
- Develop a plan with measurable outcomes that draws on the jail assessment and prevalence data and the examination of available treatment and service capacity, while considering identified barriers.
- Implement research-based approaches that advance the plan.
- Create a process to track progress using data and information systems, and to report on successes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Comments

Commissioner Leake asked about public awareness of this initiative, which was addressed.

PUBLIC APPEARANCE

16-3353 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Susan Lindsay addressed and invited Board members and the public to attend the 48th Annual Hickory Grove 4th of July Parade.

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APPOINTMENTS

16-3309 APPOINTMENTS

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Ralph Roberts to the Groundwater Advisory Committee for a three-year term, expiring July 31, 2019, as the General Public/Well Owner category representative.

Note: Mr. Roberts had served two terms, but was willing to continue to serve since there were no eligible applicants.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment consideration to the Park and Recreation Commission for South Region 1:

Douglas Burnett Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett,
Ridenhour, and Scarborough

Voting Ceased

Shana Hannibal

Vice-Chairman Clarke announced the reappointment of Douglas Burnett to the Park and Recreation Commission, South Region 1 representative, for a three-year term, expiring June 30, 2019.

The vote was taken on the following nominees for appointment consideration to the Park and Recreation Commission for South Region 3:

Peter Engels Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett,
Ridenhour, and Scarborough

Voting Ceased

Marc Seelinger

Vice-Chairman Clarke announced the appointment of Peter Engels to the Park and Recreation Commission, South Region 3 representative, to fill an unexpired term, expiring June 30, 2017.

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Note: He replaced John Leonard, who resigned because he moved out of South Region 3.

ADVISORY COMMITTEE REPORTS

16-3273 2016 MECKLENBURG COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM ANNUAL REPORT

The Board received as information the Mecklenburg County Child Fatality Prevention and Protection Team 2016 Annual Report.

Bob Simmons, chairman of the Mecklenburg County Child Fatality Prevention and Protection Team and Sarah Lovett with the Health Department gave the report. They were assisted in their presentation by students from the Northwest School of the Arts. Each student gave a soliloquy on issues that teenagers face, in particular, drinking and driving, depression, and suicide.

The Board thanked and complimented the students and the Child Fatality Prevention and Protection Team leadership for the presentation.

A copy of the Report is on file with the Clerk to the Board.

Commissioner Puckett left the dais and was away until noted in the minutes.

16-3315 JUVENILE CRIME PREVENTION COUNCIL FY17 FUNDING ALLOCATION PLAN

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Ridenhour, and Scarborough voting yes, to

1. Receive the Mecklenburg County Juvenile Crime Prevention Council (JCPC) FY17 funding recommendations.
2. Recognize and appropriate FY17 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$1,415,682.
3. Approve FY17 funding allocation plan recommended by the Mecklenburg County JCPC.

Below is the FY17 funding allocation plan as recommended by the JCPC, which includes administration funds for the JCPC's operation:

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1. JCPC Administration: \$15,500
2. GEMS Mentoring (Agency-Empowerment and Development Exchange): \$134,760
3. DASH Strengthening Families (Agency-IAACT): \$99,790
4. Tresports Positive Action Program (Agency-Tresports Program): \$228,831
5. Barium Springs Court Psychologist (Barium Springs Home for Children): \$125,415
6. GAP LIFE Skills (Agency-First Baptist Church-West Community Services Association): \$222,889
7. CMPD Youthful Diversion Program (Agency-CMPD): \$95,666
8. DASH Youth Connections Mentoring (Agency-IAACT): \$97,800
9. SHIFT Restitution and Community Service (Agency-Transforming Youth Movement, Inc.): \$246,631
10. ULCC Academic Enhancement Program (Agency-Urban League of Central Carolinas): \$148,400

Note: The report was presented by Darrell Gregory, Chairman of the Juvenile Crime Prevention Council.

PUBLIC HEARINGS

16-3319 PUBLIC HEARING – STORM WATER FEES – THE TOWN OF MATTHEWS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Ridenhour, and Scarborough voting yes, to open a public hearing to hear comments related to proposed changes in the Town of Matthews' storm water fees.

Note: the Town of Matthews is proposing to increase the minor system component of detached single family and non-single family rates as follows:

Detached Single Family Properties (per month):

- Tier I from \$1.42 to \$1.67
- Tier II from \$2.12 to \$2.58
- Tier III \$2.12 to \$3.64
- Tier IV from \$2.12 to \$5.98

Non-Single Family Properties (per month):

- The per acre fee will increase from \$35.34 to \$43.56

No one appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Ridenhour, and

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Scarborough voting yes, to close the public hearing on proposed changes in the Town of Matthews' storm water fees.

Commissioner Puckett returned to the dais.

MANAGER'S REPORT

16-3357 SCHOOL ADMINISTRATIVE FACILITIES CAPITAL PROJECT ORDINANCE

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend School Administrative Facilities 2014 Capital Project Ordinance and to adopt Resolution Authorizing Execution of the Amendment to Brooklyn_Village Interlocal Agreement, Confirmation of Termination of Education Center Lease Agreement, and Agreement on Final County Payment for the Education Center.

Note: This matter was presented to the Board by Dennis LaCaria, Senior Assistant to the County Manager.

**MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF THE
AMENDMENT TO BROOKLYN VILLAGE INTERLOCAL AGREEMENT, CONFIRMATION OF TERMINATION OF
EDUCATION CENTER LEASE AGREEMENT,
AND AGREEMENT ON FINAL COUNTY PAYMENT FOR THE EDUCATION CENTER**

WHEREAS, N.C. Gen. Stat. § 160A-461, "Interlocal Cooperation Authorized," authorizes units of local governments to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, Mecklenburg County (the "County") and the Charlotte-Mecklenburg Board of Education (the CMBE) are parties to that certain Brooklyn Village Interlocal Agreement executed in 2007 (the "Interlocal Agreement") pursuant to which the CMBE conveyed the property known as the Education Center (the "Education Center") to the County by deed dated December 13, 2007 and recorded in December 13, 2007 in Deed Book 23174, Page 599 of the Mecklenburg County Register of Deeds; and

WHEREAS, the County and the CMBE entered into subsequent agreements amending how the purchase price for the Education Center would be determined, pursuant to which the County has made a partial payment of \$10,000,000; and

WHEREAS, the County and the CMBE have now determined that the additional amount of \$10,835,000 should be paid by the County to the CMBE as the final payment for the Education Center, and have negotiated an amendment to the Brooklyn Village Interlocal Agreement to that effect; and

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WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such an interlocal agreement "...shall be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the AMENDMENT TO BROOKLYN VILLAGE INTERLOCAL AGREEMENT, CONFIRMATION OF TERMINATION OF EDUCATION CENTER LEASE AGREEMENT, AND AGREEMENT ON FINAL COUNTY PAYMENT FOR THE EDUCATION CENTER between the County of Mecklenburg County and the Charlotte-Mecklenburg Board of Education in substantially the form attached to this Resolution and that this resolution shall be spread upon the minutes.

Resolution/Agreements recorded in full in Minute/Ordinance Book _____, Document # _____.

**MECKLENBURG COUNTY, NORTH CAROLINA
SCHOOL ADMINISTRATIVE FACILITIES 2014
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of the January 20, 2016 *School Administrative Facilities 2014* capital project ordinance by Commissioner _____, who moved its adoption:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 8th DAY OF JUNE 2016:

Section I. That for the purpose of providing funds, together with any other available funds, for the relocation of school administrative facilities project including the acquisition and construction or renovation of new facilities, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$20,835,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the acquisition and construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds (including but not limited to COPs interest)	\$20,835,000
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Section III. That the Financial Services Director is authorized to transfer funds from the General Fund or Special Revenue Fund to provide for the Capital Projects Fund.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS

16-3367 PEARL STREET PARK

The Board received a report from Peter Zeiler, Economic Development Director regarding Pearl Street Park.

Note: The report addressed a proposed public private partnership to provide park enhancements, new street connectivity and urban infill redevelopment at Pearl Street Park. Pearl Street Park is located at Kenilworth and Pearl Parkway, adjacent to Charlotte Regional Realtors Association site.

The following was noted:

Collaboration of multiple parties involved:

- Charlotte Regional Realtors Association (landowner)
- Pappas Properties / Terwilliger Pappas (developer)
- Charlotte Housing Authority (stakeholder / landowner)
- City of Charlotte
- Mecklenburg County
- Thompson Family Services
- Park user groups

Public Benefits

City of Charlotte residents:

- Creation of critical street connectivity
- Advancement of urban infill and character called for in Midtown Morehead Cherry Area Plan

Mecklenburg County residents:

- Funding for significant Pearl Park improvements not currently in Capital Plan from sale of remnant park parcels

Charlotte Housing Authority:

- Disposal of land unsuited for residential development
- Acquisition of new land to expand housing availability

Development Program:

- New Street connections between Kenilworth and McDowell
- Park improvements including multi-use greenway path and play areas
- New CRRRA Offices – 33,000 square feet.
- 172 Residential units
- Retail / Hotel – 175,000 square feet
- Office building – 168,000 square feet
- Parking deck – 1,240 spaces

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Timeline

- July 2015 – Pappas Properties / Terwilliger Pappas presented conceptual project to City and County leadership; staff begins review and comment on project
- October 2015 – Pappas Properties / Terwilliger Pappas presented project reflecting staff input to City Council and County Commission Economic Development Committees
- April 2016 – Pappas Properties / Terwilliger Pappas presented project to Economic Development Committees reflecting input from the respective Committees
- May 2016 – County Parks and Recreation Commission approved new park plan for Pearl Park
- June to August 2016 – Staff to prepare project for approval by City Council and County Commissioners

Pending Actions

- Finalize appraisals and land swap values
- Finalize strategy for disposal of remnant Baxter Street Park Parcel
- Secure release of repurchase clause for Pearl Street Park remnant and right of way from Thompson Family Services and Episcopal Diocese
- Finalize terms of tax increment grant phasing and completion clauses
- BOCC authorization for County Manager to negotiate and execute all necessary agreements and actions including but not limited to:
 - Land Swaps
 - Land Sales
 - Rezoning
 - Tax Increment Grant

A copy of the report is on file with the Clerk to the Board.

Comments

Vice-Chairman Clarke asked was action needed at this time from the Board. *The response was no.*

Commissioner Dunlap questioned whether the information being shared was the same information that had been shared with the public.

Vice-Chairman Clarke said to his knowledge the information had only been shared with the Board's Economic Development Committee and the Park and Recreation Commission.

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Commissioner Dunlap asked was this matter approved by the Park and Recreation Commission. *Director Zeiler said the Board's Economic Development Committee had received two presentations, as well as, the Park and Recreation Commission. He said the Park and Recreation Commission voted to approve the park plan with a number of conditions. He said it was not a unanimous vote.*

Commissioner Dunlap said it was his understanding the Park and Recreation Commission vote was 6-4 in favor, with two members being absent. He questioned whether that showed enough support.

Commissioner Dunlap said he would like a more in depth presentation at a later date.

County Manager Diorio said staff would schedule a discussion at an upcoming Budget/Public Policy meeting.

Commissioner Ridenhour asked about the phased approach and the timeline associated with that. He specifically asked as it related to the existing Pearl Street Park being closed off in comparison to when the swaps would begin for Phase 1 & 2. *Director Zeiler said staff was still working through that with the developers. He said the best estimate, however, was that the beginning road work (Phase 1) would begin around the end of 2016, pending approval by both the County and the City by the end of July. As for Phase 2, the expectation was to have the land released from the Charlotte Housing Authority sometime in the second quarter of 2017. Further, that by June of 2017, all of the land swaps would have taken place and road work would be "well underway" for Phase 1 and possibly design work for Phase 2. Director Zeiler said he was not prepared to address the park portion of the project.*

Commissioner Ridenhour said he was concerned about where children would go to participate in sport activities while the project was underway.

Commissioner Ridenhour asked would the parking deck shown on the Development Proposal serve park patrons. *Director Zeiler said it would be for the development. He said there would be parking for the park at other sites around the park.*

Park and Recreation Director Jim Garges addressed parking for park patrons. He said 110 spaces would be made available. He said they were about 20 spaces short based on park users, but he didn't anticipate that being a problem.

Director Garges said the park would be available for patrons during the development of the project and that accommodations would be made for activities at other locations due to disruptions that may come up.

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Commissioner Ridenhour asked was it Park and Recreation's intent to keep the park as an "active" park. *The response was yes.*

Commissioner Ridenhour asked about park improvements made by organizations and whether those improvements would be in the improved park. *The response was yes.*

Commissioner Leake asked how long had Pearl Street Park existed. *Director Garges said it was the first African American park in the Park and Recreation system.*

Commissioner Leake asked about the use of the soccer fields, which was addressed. She expressed concern for the availability of the fields for the general public versus its use by organized sports. Commissioner Leake said it was important that residents from all over the County be able to utilize Pearl Street Park and not just residents who live in the area.

Commissioner Leake suggested Board members go to Pearl Street Park as a group to get a visual of what's currently there and what's being proposed. *Director Garges said staff could arrange that.*

Commissioner Scarborough said she would not want to see the park developed based on what's before the Board and then later discover that something was missing or should not have been included.

Commissioner Scarborough said it should be ensured that youth would have a place to play and that parking be available.

Commissioner Scarborough asked would there be another opportunity for park patrols to provide input with respect to this matter. *Director Garges said conversations would continue. He said there had been lots of dialogue with park patrons and the developer.*

Commissioner Cotham asked about the expansion of the park and the existing Baxter Street Park, which was addressed. *Director Garges said Baxter Street Park would be sold to the Charlotte Housing Authority.*

Commissioner Cotham expressed concern for the loss of parks versus the need for parks.

Commissioner Cotham asked about lighting at the park, which was addressed.

Commissioner Cotham asked about the connector, which was addressed.

Commissioner Cotham said she wanted to know who would be paying for what, as it related to the connectivity issue.

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Commissioner Cotham expressed concern for parking. She also wants to know the size of the park and what amount of park space would be lost.

Commissioner James asked whether the Baxter Street property was originally a park or did it just turn into one. *Director Garges said he would have to go back and look at the history.*

Commissioner James said he was interested in seeing what the Pearl Street Park area looked like years ago before becoming a park.

Commissioner James said he wanted to know also, how staff was going to ensure that everything gets done that was being proposed. Director Garges addressed this.

Chairman Fuller entered the meeting. Vice-Chairman Clarke turned the gavel over to Chairman Fuller, who assumed chairmanship of the meeting.

Commissioner Puckett said he too would like for the Board to discuss this matter at a separate meeting.

Commissioner Puckett challenged staff to think about alternatives in case it's discovered down the road that what was proposed and expected to happen didn't or won't happen. He asked that the Park and Recreation Commission conditions be addressed at some point.

Commissioner Puckett said he liked the connectivity piece of the project.

Commissioner Puckett said he would like to know if the HUD process could become a hurdle for the project. Director Zeiler said per conversations with the Charlotte Housing Authority, he didn't anticipate any problems.

Commissioner Cotham said she wanted to know the parking capacity for the parking lot noted in the project in comparison to what it was currently.

Commissioner Ridenhour said he was really concerned about on-street parking and the safety of park patrons, especially children.

Marion Brission-Kuester, on behalf of the Charlotte Regional Realtors Association, spoke in support of the project moving forward. She said they did not want their project to get "stalled" because of discussions regarding parks. She said they wanted the parties work together in this process. She noted, however, that they would have to move forward with their development plans, with or without the County's parcels.

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Peter Pappas, developer, addressed the proposed development. He said this had been a comprehensive planning process that had gone on for well over a year.

Mr. Pappas said collectively he felt the parties involved would be able to work through the various issues that had been raised.

Commissioner Dunlap said he would like to see what the development would look like if it didn't include any of the park plan.

Commissioner Dunlap questioned the need for connectivity at Kings and Kenilworth.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3359 BOCC ADVISORY BOARD AD HOC COMMITTEE (CHAIRMAN TREVOR M. FULLER)

Chairman Fuller addressed the establishment of a Board Ad Hoc Committee to take a comprehensive review of County Advisory Boards.

Note: Mecklenburg County has 35+ advisory boards, established either directly by the Board or by General Statute. There are also boards where the appointing authority is shared between the County and other governmental and non-governmental entities. The purpose of the Ad Hoc Committee will be to take a comprehensive review of our advisory boards. The committee would review the purpose of each board, their by-laws, membership qualifications, meeting frequency, attendance, reporting, etc. The committee would be composed of four commissioners, with the committee chair being appointed by the Board Chairman. Deputy County Manager Chris Peek would serve as the lead staff to the committee and would designate other appropriate staff to assist.

There was no objection regarding the establishment of the Ad Hoc Committee.

Chairman Fuller asked Board members to let him know if they were interested in serving on the committee.

CLOSED SESSION

16-3332 LAND ACQUISITION

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the purchase price of \$650,000 for Charlotte-Mecklenburg Board of Education to acquire a portion (11.4- acres) of Tax Parcel 103-041-99 from the City of Charlotte to serve as the site of a K-8 school in east Charlotte.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the following items:

16-3316 GRANT APPLICATION -- U.S. EPA – LUESA AIR QUALITY

A. Approve the submission of:

1. A supplement to the FY16 CAA Section 105, Federal grant application to request additional funds that have been awarded to Mecklenburg County Air Quality; and
2. The County's FY17 & FY18 CAA Section 105, Federal grant applications.

B. Upon award of grant, recognize, receive and appropriate the grant awards for the grant period.

Note: Mecklenburg County has an ongoing program to protect air quality so that it achieves established ambient air standards and protects human health. The program includes ambient air monitoring and various other activities to reduce or control air pollutants, such as ozone, particulate matter, regional haze, sulfur dioxide, carbon monoxide and mercury. Mecklenburg County receives federal funds from a Clean Air Act (CAA), Section 105 grant through U.S. Environmental Protection Agency. Grant funds are used to fund and support, in part, commitments to U.S. EPA to implement programs to improve ambient air quality. These activities include permitting stationary sources of hazardous air pollutants, conducting ambient air monitoring, conducting emission inventories and enforcing environmental laws and regulations. Grant application is due June 9th.

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16-3317 BUDGET AMENDMENT – COMMUNITY SUPPORT SERVICES (REVENUE INCREASE AND CARRYFORWARD OF UNSPENT FUNDS)

1. Recognize, receive and appropriate \$22,244 in estimated additional revenue to be generated from fees, charges, and donations before June 30, 2016.

Note: Community Support Services anticipates additional NOVA fees and charges in the amount of \$20,033 collected from client sessions before June 30, 2016. Also \$2,211 in additional contributions have been received for Women's Equality Day.

2. Recognize, receive and appropriate an additional \$39,246 grant award received from the North Carolina Department of Public Safety, Governor's Crime Commission for the Supervised Visitation Expansion for the grant period.

Note: Supervised Visitation and Safe Exchange Center provides a safe place for visits and exchanges of children between parents in homes where there has been domestic violence. Additional funds received from the Governor Crime Commission will pay for additional monitors and security guards. No County match required.

3. Carry Forward to FY2017 unspent County funds in the amount of \$500,000 for the Housing Stability Partnership.

Note: Carry Forward of housing allocation in the amount of \$500,000 will be used to provide housing and supportive services in FY17. Housing Stability and Supportive services funding relates to the Board's Strategic Planning Agenda; "accelerating parts of the 10 Year Plan that are working." Providing housing with supportive services has demonstrated a 30% reduction in the number of individuals living on the streets. Funds were not spent due to lack of available rental subsidies.

16-3325 GRANT APPLICATION – FEMA HAZARD MITIGATION ASSISTANCE (LUESA)

Authorize the County Manager to apply for FEMA Hazard Mitigation Assistance grant funding of up to \$220,000 to be used for elevation of two flood prone residences; and if awarded, recognize, receive and appropriate grant funds and any property owner matching funds required through completion of the project; and authorize the County Manager to execute contracts with the North Carolina Department of Public Safety, Division of Emergency Management.

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16-3327 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE/EXPENSE INCREASE)

Recognize, receive and appropriate \$11,300 in revenue received for Forensic Screening Evaluations.

16-3328 DSS HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG)

Approve the Home and Community Care Block Grant (HCCBG) funding plan for FY 2017.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Home and Community Care Block Grant (HCCBG) funding plan (also referred to as the County Aging Plan). Board approval is required prior to submission to Centralina Council of Governments (COG), the local grant authority. The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Senior Center Operations, Adult Day Care/Day Health and Consumer Directed Services. The total funding plan request is \$3,332,055 with a match of \$370,230 which includes two senior centers not affiliated with Mecklenburg County. The funding plan portion within the Mecklenburg County budget is \$3,258,318 with a County match of \$362,035. The match is included in the DSS Fiscal Year 2017 budget.

A copy of the Plan is on file with the Clerk to the Board.

16-3329 BUDGET AMENDMENT -- DSS (REVENUE DECREASE)

1. Recognize, receive and appropriate additional Federal IV-E Child Care Subsidy revenue of \$350,000 from the North Carolina Division of Child Development and Early Education.

Note: The Mecklenburg County funding authorization from DCDEE reflected an additional \$350,000 for Child Care Subsidy in FY 2016. Child Care Resources, Inc. (CCRI) is the Child Care administrator. The funds will cover services for children currently receiving Title IV-E. No additional county dollars are requested.

2. Low Income Energy Assistance Program (LIEAP): decrease federal revenue \$1,500,000.

Note: The North Carolina Division of Social Services (NCDSS) allocates federal revenue to assist eligible low income households with one-lump sum payment to apply toward heating expenses. Department of Social Services (DSS) spent approximately \$1,504,100 of the budget.

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The adopted budget of \$3,626,958 will be reduced by \$1,500,000; the revenue and expenditures will be reflected accordingly.

16-3331 REVISED: MECKLENBURG TRANSPORTATION SYSTEM (MTS) – SYSTEM SAFETY PROGRAM PLAN

Endorse N.C. Board of Transportation resolution and approve Mecklenburg Transportation System's (MTS) safety plan and operational policy that addresses the required six core elements of the safety plan; and allow DSS/MTS with support from the Transportation Advisory Board to make revisions to the plan as needed.

A copy of a portion of the Plan is on file with the Clerk to the Board. The entire Plan, which is over 100 pages, is on file at the Department of Social Services.

16-3337 MECKLENBURG TRANSPORTATION SYSTEM (MTS) – TITLE VI PLAN

Approve the Department of Social Services (DSS) Mecklenburg Transportation System Title VI Plan, and allow DSS/MTS with support from the MTS Transportation Advisory Board to make revisions to the plan as needed.

A copy of the plan is on file with the Clerk to the Board.

16-3338 GRANT APPLICATION – CENTERS FOR DISEASE CONTROL AND PREVENTION, PREVENTING TEEN DATING AND YOUTH VIOLENCE BY ADDRESSING SHARED RISK AND PROTECTIVE FACTORS.

Approve the submission of a grant application for up to \$412,000 per year for five years from the Centers for Disease Control to provide prevention programming to teens and youth to prevent teen dating violence and youth violence by addressing shared risk and protective factors; and if awarded, recognize, receive and appropriate such funds for the grant period.

16-3339 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$4,465 for Asset and Facility Management, \$12,467 for Park and Recreation, and \$1,152 for Sheriff's Office.

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Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3340 DONATION -- PARK AND RECREATION

Approve, recognize and receive the donation of an adaptive swing to be installed in Independence Park from "Bee Mighty," a 501(c)(3) organization managed by the Novant Health Foundation.

16-3341 GRANT APPLICATION – OLDER REFUGEE ASSISTANCE PROGRAM (PARK AND RECREATION)

Approve an application for up to \$55,000 for a Refugee Assistance – Services to Older Refugees Program grant from the Division of Social Services of the NC Department of Health and Human Services; and if awarded, recognize, receive and appropriate such funds for the grant period.

16-3346 GRANT APPLICATION – SENIOR HEALTH INSURANCE INFORMATION PROGRAM (SHIIP)

Approve a grant application of up to \$6,000 for a Senior Health Insurance Information Program Grant (SHIIP); and if awarded, recognize, receive and appropriate such funds.

16-3347 PURCHASE AGREEMENT – PURCHASE OF FOOD SERVICE EQUIPMENT

Authorize the County Manager to award and execute a unit price contract for the purchase of four (4) Blast Chillers for the Sheriff's Office for a total of \$255,885.99 to Price Davis, Inc.

16-3348 EAGLES LANDING NEIGHBORHOOD PARK – CDOT ENCROACHMENT AGREEMENT

Authorize the County Manager to negotiate and execute a Right- of-Way Encroachment Agreement with the City of Charlotte's Department of Transportation (CDOT) to allow the County to encroach in CDOT right-of-way to make improvements to the cul-de-sac on Eagles Landing Drive for Eagles Landing Neighborhood Park.

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16-3350 LITTLE SUGAR CREEK GREENWAY – PIEDMONT NATURAL GAS RIGHT-OF-WAY ENCROACHMENT AGREEMENT

Authorize the County Manager to negotiate and execute a Right- of-Way Encroachment Agreement with the Piedmont Natural Gas (PNG) to allow the County to encroach in PNG's utility right-of-way on Tax Parcels 173-061-02 and 173-071-59 to accommodate construction of Little Sugar Creek Greenway.

16-3351 GRANT APPLICATION – CHARLOTTE AREA TRANSIT (CATS) 5310 SUB-RECIPIENT FOR FY2014 FUNDING (ROUTING & SCHEDULING SOFTWARE)

Approve submission of a grant application through CATS for \$280,000 grant funding to fund new routing and scheduling software, and if awarded, recognize and appropriate amount awarded for the grant period.

16-3352 TAX REFUNDS

1) Approve refunds in the amount of \$8,876.91 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$11,900.21 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$44.58.

16-3355 MINUTES

Approve Minutes of Regular meeting held May 17, 2016.

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16-3358 GRANT APPLICATION – OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (CRIMINAL JUSTICE SERVICES)

Approve the submission of a formal grant application to the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) Studies Program in an amount up to \$75,000, and if awarded, recognize, receive and appropriate such funds for the grant period, and if awarded, establish one Research Assistant position in Criminal Justice Services, Forensic Evaluations Unit.

16-3360 SET PUBLIC HEARING – ZONING PETITION #2016-01C

Adopt Resolution providing for public hearing on petition for zoning changes to be held on Tuesday, June 21, 2016, at 6:30 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center; Petition No. 2016-001(C) by Newman-Tillman Properties, LLC for a change in zoning for approximately 6.84 acres located on the west side of Lancaster Highway near the intersection of Lancaster Highway and Rudolph Place Dr. from O-1(CD) to BD(CD) and R-3(CD).

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3312 RETIRE CANINE OFFICER DAX – SHERIFF'S OFFICE

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to retire and approve the donation of a retired Canine Officer (Dax) to a Mecklenburg County Sheriff's Office Deputy.

Note: This action will allow Mecklenburg County Sheriff's Office (MCSO) to retire and transfer ownership of Canine Officer Dax to a MCSO Deputy. Canine Officer Dax was purchased in 2007 with federal Urban Area Security Initiative (UASI) funds. The Canine Officer performed his duties faithfully and diligently and has reached the age and physical condition for retirement. The Canine Officer was specifically trained in certain law enforcement procedures and may behave unpredictably and perhaps in an aggressive manner as a result of such training. Therefore, the Canine Officer presents a risk to general public health and safety if presented for sale to or adoption by the general public, who are unfamiliar with the specialized training the Canine Officer received. Such risk to public health and safety is not present when the Canine Officer is transferred to the care and keeping of a MCSO Deputy. This allows each Canine Officer to retire to a familiar environment in the care of a MCSO

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Officer very familiar with their training and permits a transfer of the Canine Officer that does not endanger public health and safety.

Commissioner Puckett removed this item from Consent for more public awareness.

16-3326 ARCHITECT SELECTION – WAYMER GYMNASIUM RENOVATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate a fee and execute a contract with Boomerang Design for Architectural/Engineering Services for the Waymer Gymnasium Renovation, and in the event that negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Morris Berg Architect.

Commissioners Leake and Puckett removed this item from Consent for more public awareness.

Commissioner Leake said the facility should be referred to as David Waymer, Sr. because it was named after the father and the son.

Commissioner Scarborough expressed this sentiment as well and noted that Mrs. Waymer would like that to occur as well.

Chairman Fuller asked staff to check on the official name and that if a change was needed, that the matter be brought to the Board for action.

**16-3342 GRANT APPLICATION – OPERATION FAN HEAT RELIEF FOR SENIOR CITIZENS
(PARK AND RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve an application for up to \$9,000 for a 2016 Operation Fan Heat Relief grant from the Area Agency on Aging, and if awarded, recognize, receive and appropriate such funds.

Commissioner Leake removed this item from Consent for more public awareness.

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16-3343 GRANT APPLICATION -- NORTH CAROLINA GENERAL PURPOSE GRANT (SENIOR CENTERS)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to

1. Approve a grant application of up to \$6,000 for a North Carolina General Purpose Grant for the North Mecklenburg Senior Center.
2. Approve a grant application of up to \$13,000 for a North Carolina General Purpose Grant for the Tyvola Senior Center.
3. Approve a grant application of up to \$13,000 for a North Carolina General Purpose Grant for the Shamrock Senior Center.
4. If awarded, recognize, receive and appropriate such funds.

Commissioner Leake removed this item from Consent for more public awareness.

16-3349 GRANT APPLICATION – CHARLOTTE AREA TRANSIT (CATS) 5310 SUB-RECIPIENT FOR FY2014 FUNDING (ELDERLY AND PERSONS WITH DISABILITIES)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve submission of a grant application for \$150,000 through CATS to enhance transportation for elderly (60 or above) and persons with disabilities, and if awarded, recognize and appropriate the amount awarded for the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Note: Prior to adjourning, Commissioner Ridenhour acknowledged and expressed well wishes to former County Commissioner Ruth Samuelson, who was recently diagnosis with Ovarian Cancer.

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Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:45 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, June 21, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Vilma D. Leake, Jim Puckett, Matthew Ridenhour and
Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

-INFORMAL SESSION-

Commissioner Ridenhour was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3374, 16-3377, 16-3380, 16-3383, and 16-3396, to be removed from Consent and voted upon separately.

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STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3366 LAND ACQUISITION
16-3372 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune announced there was no Consult with Attorney matter to be discussed in Closed Session.

County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session, Tax Parcel # 019-041-06 and 157-041-07 and 037-0192-14.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:26 p.m. and came back into Open Session at 5:37 p.m.

Senior Assistant to the County Manager Dennis LaCaria addressed the disposition of property at 5200 Spector Drive.

It was the consensus of the Board to allow staff to move forward with its due diligence as it related to the proposed disposition of property at 5200 Spector Drive. The matter will come back to the Board at a later date.

County Attorney Bethune informed the Board that once the Board's compensation was set and approved for FY17, it would be set for the entire fiscal year and could not be changed.

Commissioner Ridenhour entered the meeting.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

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Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Puckett, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Note: Chairman Fuller recognized Tony Lathrop, chair of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission who introduced other members of the Zoning Committee present for the public hearing on Petition #2016-001(c). Mr. Lathrop announced that the Zoning Committee would be meeting on June 29, 2016 at 4:30 p.m. to discuss Petition #2016-001(c). He noted the meeting would be open to the public.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

16-3370 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Gail Adams addressed housing for the Homeless.

Courtnei Wallace, a member of the Belmont Community Boys and Girls Club, addressed how the program had benefited her personally. Courtnei is a rising senior at East Mecklenburg High School. She is a participant in the NCACC Youth Voice Program and as a requirement, participants must to attend a Board of County Commissioners' meeting.

Maria Macon, Community Relations Committee-Crisis Response-Council of Elders, signed up to speak but did not appear.

APPOINTMENTS

16-3310 NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett,

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Ridenhour, and Scarborough voting yes, to reappoint Prescious Wallace to the Adult Care Home Advisory Committee for a three-year term expiring June 30, 2019.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Brenda Allison to the Adult Care Home Advisory Committee for a one-year term expiring June 30, 2017.

Note: She replaces Rosalind Bland, who failed to meet the attendance requirement for 2015.

BICYCLE COMMITTEE

The following persons were nominated for appointment consideration to the Bicycle Committee:

Debra Franklin	by Commissioner Leake
Jerry Mann	by Commissioner Dunlap
Joy Marshall	by Commissioner Ridenhour
Jeffrey Wells	by Commissioner Puckett

Note: An appointment will occur on July 6, 2016.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Benton Bragg to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2020, effective July 1, 2016.

CMUD/WATER ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Barbara Bleiweis to the

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CMUD/Water Advisory Committee as a Neighborhood Leader representative for a three-year term expiring June 30, 2019, effective July 1, 2016.

Note: She replaces Ron Charbonneau, who will have served two full terms.

HOUSING ADVISORY BOARD OF CHARLOTTE MECKLENBURG

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Marian Yates to the Housing Advisory Board of Charlotte Mecklenburg, as an Education representative, to fill an unexpired term expiring June 30, 2018.

Note: She replaces Vanessa Eichman, who relocated outside of Mecklenburg County.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Laura Clark to the Housing Advisory Board of Charlotte Mecklenburg, as the Human Services representative, for a three-year term expiring June 30, 2019, effective July 1, 2016.

Note: She replaces Annabelle Suddreth who will have served two terms.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Jennifer Golynsky and Christine Schmid to the Human Resources Advisory Committee for a three-year term expiring June 30, 2019, effective July 1, 2016.

Note: They would replace Henry Federal and JeNai Redwood, who will have served two terms.

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JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Lawrence Brinson to the Juvenile Crime Prevention Council as a General Public representative for a two-year term expiring on June 30, 2018, effective July 1, 2016.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Michelle Newton to the Juvenile Crime Prevention Council as the Substance Abuse Professional representative for a two-year term expiring on June 30, 2018.

Note: She replaces Jane Goble-Clark who resigned because of other commitments.

The following persons were nominated for appointment consideration to the Juvenile Crime Prevention Council for the Youth slot, Akera Carey and Lauren Marshall, by Commissioner Dunlap.

The following persons were nominated for appointment consideration to the Juvenile Crime Prevention Council for General Public slots:

Gregory McDowell	by Commissioner Leake
Erica Ruckman	by Commissioner Leake

Note: Appointments will occur on July 6, 2016.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Monica Shelton to the Nursing Home Community Advisory Committee for a three-year term expiring on May 31, 2019.

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PUBLIC ARTS COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint L. M. Cathay Dawkins to the Public Arts Commission as a Community representative for a three-year term expiring June 30, 2019, effective July 1, 2016.

REGION F AGING ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Dee Jones and Natalie Tunney to the Region F Aging Advisory Committee, as delegate representatives, for a two-year term expiring June 30, 2018, effective July 1, 2016.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Deborah Atkinson to the Region F Aging Advisory Committee as a delegate representative for a two-year term expiring June 30, 2018, effective July 1, 2016.

Note: She would replace Connie Ellington, who will have served two terms.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Ridenhour, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Franklin Freeman, Khalif Rhodes, Juanita Tackett, and Theresa Braswell to the Small Business and Entrepreneurship Advisory Board for a two-year term expiring June 30, 2018, effective July 1, 2016.

The following persons were nominated for appointment consideration to the Small Business and Entrepreneurship Advisory Board:

Betty Leake
Susan McDonough

by Commissioner Leake
by Commissioner Ridenhour

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Will Peters by Commissioner Dunlap

Note: An appointment will occur on July 6, 2016.

STORM WATER ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint James Bowen to the Storm Water Advisory Committee as the Institutional representative for a three-year term expiring June 30, 2019, effective July 1, 2016.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Molly Murchison to the Storm Water Advisory Committee as the Residential Neighborhood representative, to fill an unexpired term expiring June 30, 2017.

Note: She replaces Janet Mills who failed to meet the attendance requirement.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Andrea Brown and Linda Carr to the Women's Advisory Board for a three-year term expiring June 30, 2019, effective July 1, 2016.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Marci Brier to the Women's Advisory Board to fill an unexpired term expiring April 30, 2018.

Note: She replaces Christian Broome-Hunt, who was unable to serve.

PUBLIC HEARINGS

16-3393 PUBLIC HEARING ZONING PETITION 2016-001C

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing on Zoning Petition #2016-001(C) for a change in zoning for approximately 6.84 acres located on the west side of Lancaster Highway near the intersection of Lancaster Highway and Rudolph Place Drive from O-1(CD) to BD(CD) and R-3(CD), Petitioner: Newman-Tillman Properties, LLC.

Tammie Keplinger, Planning Manager with the Charlotte-Mecklenburg Planning Commission addressed the Petition. She reviewed the Staff Analysis of the Petition. It was noted that staff recommended approval of the petition upon resolution of outstanding issues related to parks and recreation and the requested technical revisions.

A copy of the Staff Analysis, Vicinity Map, Rezoning Map Revised, Revised Site Plan, and Approved Site Plan is on file with the Clerk to the Board.

Commissioner Dunlap asked when was the last time the Town of Pineville had been approached regarding taking this remaining unincorporated area into its extraterritorial jurisdiction. *Planning Manager Keplinger said an analysis was done by the City of Charlotte to see if they wanted to take this area in, however, it was concluded that it was highly unlikely that staff would recommend to Charlotte City Council to take this area in. Ms. Keplinger said she was not aware of the specifics of the analysis that was done about two years ago, because she was not involved in the analysis. Nor was she aware if the Town of Pineville had done an analysis.*

Commissioner Dunlap asked that the subject be brought up to the Town of Pineville again for consideration.

Commissioner Leake echoed Commissioner Dunlap with respect to approaching the Town of Pineville.

Commissioner Leake asked about feedback from the Town of Pineville regarding the rezoning petition. *John Kinley, with the Planning Commission, said feedback was sought, however, no response was received.*

Chairman Fuller asked about the proposed buffer, which was addressed.

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Walter Fields, agent for the Petitioner, addressed the Petitioner's request for a change in zoning. It was noted that the Petitioner was going to agree with all of the conditions addressed in the Staff Analysis. It was noted also that per the desire of area residents, there would be no freestanding lighting.

Louis Rosser, a resident of the area and on behalf of the Cardinal Woods Subdivision Homeowners Association, spoke in support of the Petitioner's request. He said meetings were held with the community.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing.

Note: The Board will make a decision upon receipt and consideration of a recommendation from the Planning Commission.

16-3394 BUSINESS INVESTMENT GRANT: CORNING OPTICAL COMMUNICATIONS LLC

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Corning Optical Communications LLC.

Peter Zeiler, Economic Development Director, addressed the proposed Business Investment Program Grant. The following was noted:

Corning Optical Communications (COC) was a division of Corning Incorporated, a glass products manufacturer and was headquartered in Hickory, NC. Corning Optical develops and manufactures fiber optic cables, fiber optic and copper cable hardware and equipment. Corning Communications presence in Hickory consists of approximately 500 employees in headquarters functions and 1,200 in manufacturing and assembly functions. COC is planning the relocation of its headquarters but would continue its manufacturing operations in Hickory. Corning proposed project meets all the following grant guidelines for a five-year Business Investment Grant, specifically:

- *A taxable investment of \$38,000,000 to be completed in the next three years*

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- *Creation of 650 new jobs with an average wage of \$90,900.00 (which is equal to 185% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).*
- *There is competition for this project from Fort Mill, South Carolina*

No one from the public appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes and Commissioner Ridenhour voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Corning Optical Communications LLC for a total estimated amount of \$748,303 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT FOR CORNING OPTICAL COMMUNICATIONS
LLC**

WHEREAS, Corning Optical Communications will relocate its headquarters to Charlotte, NC; and

WHEREAS, the company evaluated sites in Fort Mill, SC; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on December 1, 2015 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$38 million and will create 650 new jobs within Five years at an average annual salary of approximately \$90,900. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to \$748,303. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, **now, therefore, be it**

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes

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the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

County Manager Diorio introduced and welcomed the new Director of Criminal Justice Services, Sonya Harper.

16-3376 FUND BALANCE POLICY

Motion was made by Commissioner Scarborough, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the amended Fund Balance Policy.

Note: Adoption of the Deferred Maintenance Plan presented at the Strategic Conference requires amendment of the Fund Balance Policy. Current policy allows that fund balance in excess of 28% of actual General Fund revenues can be appropriated to the capital, technology and fleet reserves with a cap equivalent to 1.75 cents on the property tax rate. The Deferred Maintenance Plan would increase the appropriation for capital reserve one-half cent, raising the total cap equivalent to 2.25 cents on the property tax rate.

Policy recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3375 MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the Amended and Restated Mecklenburg County Solid Waste Fee Ordinance.

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Note: The ordinance will require a Second Reading at the Board's July 6, 2016 meeting since all nine Commissioners were not present, which is required for this type of ordinance in order for it to become effective upon first consideration.

**16-3173 LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE REVISION
(DEMOLITION PERMIT RENOVATION FEES)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the amended LUESA Fee Ordinance to revise demolition permit fees.

Note: The ordinance will require a Second Reading at the Board's July 6, 2016 meeting since all nine Commissioners were not present, which is required for this type of ordinance in order for it to become effective upon first consideration.

Commissioner Dunlap left the dais and was away until noted in the minutes.

**16-3199 LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE REVISIONS (TOTAL
CONSTRUCTION PERMIT VALUE/PERMIT)**

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the amended LUESA Fee Ordinance reducing permit fees 5%.

Note: The ordinance will require a Second Reading at the Board's July 6, 2016 meeting since all nine Commissioners were not present, which is required for this type of ordinance in order for it to become effective upon first consideration.

Commissioner Dunlap returned to the dais.

16-3388 FY2016-2017 BUDGET ORDINANCE

Motion was made by Commissioner Clarke, but died for lack of a second, to adopt the the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2016-2017, as presented by the County Manager that reflected amendments made by the Board on June 14, 2016 at its Straw Vote Session and included in the Board's June 21, 2016 agenda packet, with one

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additional amendment to eliminate the tax gross up amounts for the allowances listed on Schedule 4 of the Ordinance, Board Compensation & Allowances.

Commissioner Clarke said the elimination would result in a reduction of about \$33,849.00 for Board compensation.

Motion was made by Commissioner Ridenhour, seconded by Commissioner Puckett, to adopt the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2016-2017, as presented by the County Manager that reflected amendments made by the Board on June 14, 2016 at its Straw Vote Session and included in the Board's June 21, 2016 agenda packet, with one additional amendment, to eliminate the increase in Board Compensation and Allowances and keep everything as it currently was for FY16.

Commissioner Leake spoke in opposition of the motion. She addressed School System funding, including teacher pay. She asked Budget Director Michael Bryant to address what the County was mandated to do for the School System, per state law. *Director Bryant addressed the question.*

Commissioner Puckett addressed the County's responsibility for School System funding, as well. He also noted his opposition to the increase in certain line items of Board compensation.

Substitute motion was made by Commissioner Dunlap, seconded by Commissioner Leake, to adopt the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2016-2017, as presented by the County Manager that reflected amendments made by the Board on June 14, 2016 at its Straw Vote Session and included in the Board's June 29, 2016 agenda packet.

Commissioner Ridenhour addressed his motion.

The following persons spoke in opposition to an increase in Board compensation and asked that additional funding be provided to CMS for teacher pay:

Veronica Tarlton, Vice-Chairman of the Charlotte-Mecklenburg Association of Educators and teacher at Ranson Middle School; Lauren Rohrer, teacher; Jordan Todd, current CMS Teacher of the Year; and Leslie Neilsen, teacher.

Chairman Fuller asked County Manager Diorio to address the intent of structuring the Board's compensation and allowances as shown in the Budget Ordinance. He said it was his understanding the intent was to be more transparent, because the Board was already receiving what's listed on Schedule 4.

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County Manager Diorio said the intent was to make sure the public was aware of what the Board was already being compensated for. Secondly, staff looked at how other entities managed these types of allowances, specifically the City of Charlotte.

County Manager Diorio said every other year, the County conducted an employee compensation market study. County Manager Diorio said when that was done for Commissioners, it was discovered the Board was not receiving the same types of allowances that Charlotte City Council received, so from an “equity” standpoint, it was proposed this way, so the Board would be treated in a “similar like fashion” as Charlotte City Council.

The vote was then taken on the substitute motion as noted below.

Substitute motion was made by Commissioner Dunlap, seconded by Commissioner Leake carried 6-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners Puckett and Ridenhour voting no, to adopt the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2016-2017, as presented by the County Manager that reflected amendments made by the Board on June 14, 2016 at its Straw Vote Session and included in the Board’s June 21, 2016 agenda packet.

Note: Approval of the Budget Ordinance adopts a balanced operating budget of expenditures and revenues for the period of July 1, 2016 through June 30, 2017 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of \$1.64 billion and maintains the current county property tax rate of 81.57 cents. It reflects the tax rate for the law enforcement service district at 21.14 cents. Also, the following reflects the tax rates for the fire service districts for the following Extra Territorial Jurisdictions (ETJs): Charlotte = 7 cents; Cornelius = 5.7 cents; Davidson = 5.5 cents; Huntersville = 5 cents; and Mint Hill = 8 cents.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3404 RAMSEY CREEK PARK BEACH UPDATE AND PROPOSED FEE CHANGES

The Board received an update from Deputy Park and Recreation Director Michael Kirschman and staff member Greg Clemmer on Ramsey Creek Park Beach operations.

Comments

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Commissioner Dunlap asked about shuttle cost, since it was not originally anticipated. *Deputy Director Kirshman said it was not known, yet, if the fee would offset the shuttle cost. He said staff would know more at the end of the season.*

Commissioner Dunlap asked was there a limit on the number of people that could be in a car. *The response was no, not from a Park and Recreation perspective.*

Commissioner Dunlap questioned charging a per person fee for residents who walk to the beach, but not those that arrive by vehicle.

Commissioner Dunlap commented on what was publicized regarding the beach's capacity and expressed concern for the safety of visitors to the beach. *Deputy Director Kirschman addressed capacity for the beach, as well as, the park. He said the beach would be closed when the capacity reached 500 people. He said persons were still free to come into the park but would only be able to enter the beach area as other persons left the beach.*

Commissioner Dunlap said he didn't want to see the entrance fee get to a point where it became "cost prohibited" for residents. He said for some residents Ramsey Creek Park Beach would be the only beach they would ever see.

Commissioner Puckett said he continued to welcome ideas for relieving the congestion problem, as well as, being kept informed of other issues.

Commissioner Puckett thanked the Town of Cornelius Police Department for its assistance in managing this problem. *Deputy Director Kirschman echoed that thanks as well.*

Commissioner Leake expressed concern for residents that reside near the beach and how their neighborhood had been disrupted.

Commissioner Leake asked would there eventually be a fee for those that ride the shuttle to the beach? *Deputy Director Kirshman said currently there was no plan to charge shuttle riders at this point. He said that would be a topic of discussion for next year.*

Commissioner Leake expressed concern for the safety of persons at the beach and asked about the number of lifeguards and other staff on duty, which was addressed.

Commissioner Cotham commented on issues residents living near the beach were faced with when the beach first opened. She expressed her regret for those occurrences.

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The following resident spoke to this issue:

Mike Montanaro addressed safety concerns near and on the beach. He addressed traffic concerns, as well. He suggested an on-line reservation process for parking and access to the beach.

Mr. Montanaro thanked the County for all of its efforts to date, to alleviate the problems that were experienced when the beach first opened.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

- 1) Adopt a resolution approving an Interlocal Agreement with the City of Charlotte Area Transit System (CATS) to operate a weekend and holiday shuttle bus service for the public from Memorial Day through Labor Day to the swimming beach at Ramsey Creek Park;
- 2) Authorize the County Manager to execute all documents necessary to implement the Agreement, to renew the agreement for up to two renewals and make any necessary amendments consistent with the County's business needs; and
- 3) Approve new and revised park entrance fees effective immediately and authorize the County Manager to make any necessary amendments consistent with the County's business needs.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND CHARLOTTE AREA TRANSIT SYSTEM (CATS) TO OPERATE A WEEKEND AND HOLIDAY SHUTTLE BUS SERVICE TO RAMSEY CREEK PARK BEACH

WHEREAS, under North Carolina General Statutes §160A-461 and §153A-445, as amended, cities and counties are authorized to enter into Interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

WHEREAS, the City of Charlotte Area Transit System (CATS) and Mecklenburg County now desire to enter into an Interlocal Agreement to operate a weekend and holiday shuttle bus service for the public from Memorial day through Labor Day to the swimming beach at Ramsey Creek Park Beach; and

WHEREAS, the purpose of the Agreement is to offer a service that will mitigate neighborhood traffic issues by offering a fare free shuttle services that will operate every fifteen (15) minutes from

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9:00 am to 8:00 pm on weekends and holidays from Memorial Day until Labor Day, pickup at Northcross Park and Ride in Huntersville and drop off near the swimming beach in Ramsey Creek Park; now, therefore, be it

RESOLVED that the Board of Commissioners of Mecklenburg County, pursuant to G.S. 153A-445 does hereby authorize the execution of an Interlocal Agreement between the City of Charlotte Area Transit System (CATS) and Mecklenburg County to operate a weekend and holiday shuttle as stated above and further authorize the County Manager to renew the Interlocal Agreement and amend the terms as necessary to meet county business needs.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3397 NATIONAL HIV INITIATIVES

Prior to addressing the National HIV Initiatives, Mecklenburg County Health Director, Dr. Marcus Plescia commented on the successful opening of the Rosa Parks Farmers Market, that officially opened today, June 21, 2016.

The Board received a presentation on national HIV Initiatives from Grazell Howard, Chair of The Black AIDS Institute, she was introduced by Mecklenburg County Health Director, Dr. Marcus Plescia.

Note: More than 1.2 million people in the United States are living with HIV/AIDS. There are an estimated 5,334 persons living with HIV/AIDS in Mecklenburg County who are aware of their status. However, as many as 1 in 8 are unaware of their infection. Current studies show that when people become aware of their infection and are provided with immediate linkages to prevention and care services, most take measures to reduce their risk of transmitting HIV to others.

The recent increase in HIV disease has been primarily associated with identification of persons with late-stage HIV diagnosis (i.e., individuals who have been infected with HIV for several years but were not reported into local surveillance systems until recently).

African Americans continue to experience the most severe burden of HIV, compared with other races and ethnicities.

African Americans represent approximately 31% of the county's population, but accounted for an estimated 70% of new HIV infections in 2014. HIV infection rates are nearly 12 times higher for African American females compared to White females, while HIV infection rates among African American males are nearly 5 times higher in comparison to White males.

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Ms. Howard addressed the need for more billboard, radio and TV ads, public/private partnerships, and funding for Pre Exposure Prophylactic (PREP).

Comments

Commissioners thanked Ms. Howard for her remarks.

Commissioner Leake said she looked forward to something being placed on a future agenda with respect to this issue. She also referenced a recent visit from persons on the federal level regarding Ryan White funding and expressed dissatisfaction for not being informed of the visit as Chair of the Board's Health and Human Services Committee. Commissioner Leake requested a report on the visit that occurred.

Ms. Howard noted that the current federal funding left a "gap" in the County because it did not provide funding for women living with HIV. She said there was only a small part allowed for women.

Ms. Howard said HIV was a chronic disease. She said federal dollars did not address the housing discrimination, access to medicines and care, for women living with HIV.

Commissioner Puckett asked what was the rationale behind the "gap" in funding. *Ms. Howard said unfortunately funding was politicalize and that it goes from one area to another depending on where the numbers spiked at any given time. Ms. Howard said something that could be done immediately would be to advocate on the federal level for a medical code for Pre Exposure Prophylactic (PREP). Ms. Howard said public/private partnerships were also needed in order to have a comprehensive approach to funding.*

Ms. Howard said all local entities involved in addressing this issue needed to come together, including healthcare providers, to come up with a comprehensive strategic. She asked the Board to take a leadership role in making these partnerships happen.

Ms. Howard noted that when she speaks of getting rid of AIDS in the community that means "no new cases" of HIV in Mecklenburg County. Ms. Howard said that involved "treating all of those who are affected, suppressing the viral load of those living with it and having no new cases."

Chairman Fuller concluded the discussion by thanking Ms. Howard for her remarks as well. He said the Board had a responsibility to act. He said he took from Ms. Howard's remarks that the

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Board could take action with respect to the funding of the PREP, developing a communication strategy, and funding for the local Black Treatment Advocacy Network (BTAN) Chapter.

Note: Ms. Howard said BTAN served more than just African Americans.

Ms. Howard suggested a summit be held with respect to this issue, specifically for the Board. She said one had been held recently for the citizenry at-large.

This concluded the discussion. It's not inclusive of every comment but is a summary.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3385 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly departmental management reports for June, 2016.

Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

16-3386 FEATURE DEPARTMENT PRESENTATION: HUMAN RESOURCES

The Board received as information a report from Human Resources Director Joel Riddle.

The report addressed Mecklenburg County's Human Resources Department's accomplished results for this year, as well as, the strategic vision for talent acquisition in the future.

A copy of the report is on file with the Clerk to the Board.

Chairman Fuller thanked Director Riddle for his report.

STAFF REPORTS AND REQUESTS – NONE

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COUNTY COMMISSIONERS REPORTS AND REQUESTS

16-3392 SELECTION OF NACO VOTING DELEGATE AND ALTERNAT (CHAIRMAN FULLER)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to select Commissioner Scarborough to serve as the County's voting delegate and Commissioner Dunlap as its alternate, for the 2016 National Association of Counties (NACo) Annual Conference to be held July 22-25, 2016 in Los Angeles County, Long Beach, California. In the event the Board's representatives do not pick up the County's ballot, the president of the NC Association of County Commissioners (or his/her designee) is authorized to pick up the County's ballot and cast the County's votes.

CLOSED SESSION

16-3366 LAND ACQUISITION WALTER'S BARBER SHOP- HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Leake unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

1. Approve the Historic Landmarks Commission purchase of the building and land parcel 019-041-06 (+/- .268 acres) located at 114 S. Main Street, Huntersville, NC 28078 for \$155,967 from Cross Building, LLC.
2. Recognize and appropriate \$155,967 for purchase of the above property and up to a total of \$28,153 for appraisal, maintenance, broker fees, asbestos report, roof replacement, phase one environmental, inspection, survey, title work, and attorney fees for the structure located on the aforementioned parcel.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the following item(s):

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16-3368 AUTHORIZE EXECUTION OF REVISED RELICENSING AGREEMENT

Adopt Resolution Authorizing County Manager To Execute Revision 2 Of Comprehensive Relicensing Agreement For Catawba-Wateree Hydro Project, Federal Energy Regulatory Commission Project No. 2232.

**MECKLENBURG COUNTY
RESOLUTION AUTHORIZING COUNTY MANAGER TO EXECUTE
REVISION 2 OF COMPREHENSIVE RELICENSING AGREEMENT
FOR CATAWBA-WATEREE HYDRO PROJECT**

WHEREAS, at the conclusion of a stakeholder process organized by Duke Energy that began in June 2003, several jurisdictions and entities along the Catawba River, including Mecklenburg County, became Parties to an agreement on issues related to the relicensing of the Catawba-Wateree project by the Federal Energy Regulatory Commission (FERC); and

WHEREAS, this Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232 (CRA) was signed by then County Manager Harry Jones on July 26, 2006 and was subsequently submitted to FERC by Duke Energy as part of the relicensing process; and

WHEREAS, on December 22, 2006, Revision 1 of the CRA was approved for the limited purpose of accurately reflecting the signatory Parties' benefits and obligations; and

WHEREAS on May 25, 2016, Duke Energy submitted Revision 2 of the CRA to the signatory Parties and requested the document be reviewed, signed, and returned within 60 days or by July 22, 2016; and

WHEREAS, Storm Water and Park and Recreation staff have examined all the proposed changes in Revision 2 and recommend approval; **now, therefore, be it**

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute Revision 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

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**16-3369 STORM WATER PROGRAM – FY16 VACANT FLOODPLAIN LAND
ACQUISITION**

Accept the Offer of Sale of Real Estate from Realty Development, L.L.C., owner or property at 844 Seldon Drive (Tax Parcel 069-051-06), for \$21,000.

Note: The referenced vacant parcel acquisition will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcel as floodplain open space which reduces future flood risk. The project will initially extend along Stewart Creek from I-85 southward to Tuckaseegee Road. It is aimed at addressing stream bank erosion and improving aquatic habitat needed for healthier streams. In addition, this parcel is adjacent to previous floodplain buyouts and within a future greenway corridor.

16-3371 MINUTES

Approve Minutes of Regular meeting held June 8, 2016 and Special Meeting held June 14, 2016.

**16-3373 ADOPTION OF RESOLUTION – THE TOWN OF MATTHEWS STORM
WATER MINOR SYSTEMS RATES**

Adopt the Resolution Authorizing Changes To The Minor System Cost Component Of The Storm Water Service Charges To Be Levied Within The Town Of Matthews.

Note: On June 15th, the Town of Matthews notified the County to change their minor system component as follows:

Detached Single Family Properties (per month):

- Tier I from \$1.42 to \$1.67
- Tier II from \$2.12 to \$2.58
- Tier III \$2.12 to \$3.64
- Tier IV from \$2.12 to \$5.98

Non-Single Family Properties (per month):

- The per acre fee will increase from \$35.34 to \$43.56

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On June 13th, the Town of Matthews adopted an FY17 budget that sets the Town's Storm Water minor system fee based on the tiered system in its jurisdictions.

Mecklenburg County held a Public Hearing on June 8, 2016 to receive public comment on the above proposed fee increases. In Section 6 (iii) of the Town of Matthews Interlocal Agreement, it states: "Following the hearing, the Board of County Commissioners shall alter the minor system cost component of the service charge to be levied within the Town after it receives notification from the Town governing body of the desired alteration in the minor system cost component of the service charge."

**MECKLENBURG COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION AUTHORIZING CHANGING THE MINOR SYSTEM COST COMPONENT OF THE STORM
WATER SERVICE CHARGES TO BE LEVIED WITHIN THE TOWN OF MATTHEWS**

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the "Mecklenburg County Storm Water Management Plan" which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which plan requires use of a rate structure based on impervious area and a base charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, on November 1, 1993, Mecklenburg County and the Town of Matthews entered into "AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY" (hereinafter "Agreement") to deal with the operation and maintenance of the storm water drainage system within the incorporated limits of the Town of Matthews; and

WHEREAS, on June 13, 2016, the Town of Matthews held a public hearing and on June 8, 2016, the Mecklenburg County Board of Commissioners held a public hearing on a proposed change in the minor system component of the storm water service charges to be levied on properties within the Town of Matthews; and

WHEREAS, on June 15, 2016 Mecklenburg County received notification from the Town Manager to change the minor system cost component of the storm water service charge to be levied on properties within the Town of Matthews; and

WHEREAS, Section 5(iii) of the Agreement requires that the Board of Commissioners alter the minor system cost component of the service charge to be levied within the Town of Matthews to such amounts as determined by the Town of Matthews' Board of Commissioners; now, therefore, be it

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RESOLVED by the Board of Commissioners of Mecklenburg County that effective July 1, 2016 the minor system component of the storm water service charge to be levied on properties within the Town of Matthews are as follows:

- \$ 1.67 per month for single family residences with 1,999 square feet or less of impervious area (Tier I)
- \$ 2.58 per month for single family residences with 2,000 but less than 2,999 square feet of impervious area (Tier II)
- \$ 3.64 per month for single family residences with 3,000 but less than 4,999 square feet of impervious area (Tier III)
- \$ 5.98 per month for single family residences with 5,000 or more square feet of impervious area (Tier IV)
- \$ 43.56 per month for each acre of impervious surfaces for all other residential or non-residential land, and a prorata share of each portion thereof.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3381 SOLE SOURCE PURCHASE – CRITICAL IMAGING SYSTEM (MEDICAL EXAMINER)

Approve the purchase of equipment as authorized by the sole source exemption of G.S. 143-129(e)(6) and approve contract with Lodox Systems North America, LLC for the purchase of equipment and services in the amount of \$420,000; and authorize the transfer of \$468,000 from the General Fund to the Capital Reserve Fund for the acquisition and installation of this X-Ray equipment.

Note: Equipment and Services is for the Medical Examiner's Office.

16-3382 TAX REFUNDS

1) Approve refunds in the amount of \$6,451.83 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$98,046.41 and interest as statutorily required to be paid as requested by the County Assessor.

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Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$17,168.33.

A list of the refund recipients is on file with the Clerk to the Board.

16-3387 RESOLUTION AUTHORIZING ADJUSTMENTS IN ACCORDANCE WITH SESSION LAW 2013-362

Approve Resolution authorizing adjustment to a parcel to reflect correct value.

Note: Upon further review, Pearson's Appraisal Services has recommended a correction be made to parcel 185-061-42, increasing the value from \$395,900 to \$842,500 as outlined in the attached resolution and affidavit.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3374 BUDGET AMENDMENT – DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to recognize, receive and appropriate Medicaid revenue in the amount of \$80,000.

Note: The funds will be used to transport adults and children authorized to receive Medicaid transportation to and from medical destinations.

Commissioner Leake removed this item from Consent for more public awareness.

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16-3377 CONSTRUCTION CONTRACT – EAGLES LANDING NEIGHBORHOOD PARK

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to award a construction contract to Eagle Wood, Inc. in the amount of \$613,375.78 for the Eagles Landing Neighborhood Park.

Commissioner Leake removed this item from Consent for more public awareness.

16-3380 GRANT APPLICATION – UNITED STATES TENNIS ASSOCIATION (USTA) (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve submission of a grant application to the USTA North Carolina Grant to help offset the cost of constructing new tennis courts at Marion Diehl Park. ; and if awarded, recognize, receive and appropriate the grant funds.

Note: This project is classified as Category III - new construction - and is eligible for up to a \$20,000 maximum grant award.

16-3383 BUDGET AMENDMENT – SHERIFF’S OFFICE - U S MARSHALS SERVICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to recognize, receive and appropriate \$4,950 from the U S Marshals Service for the purchase of six Garmin Alpha 100 units, a multi-dog tracking GPS and Remote Training Device in one and will be used in the K-9 Operations Unit.

Commissioner Leake removed this item from Consent for more public awareness.

16-3396 SHERIFF CAPITAL RESERVE PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett,

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Ridenhour, and Scarborough voting yes, to authorize transfer of \$300,000 from the General Fund to the Capital Reserve Fund for the Jail North Freezer.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:41 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, July 6, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified items 16-3395, 16-3401, 16-3409, 16-3416, and 16-3424 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3415 LAND ACQUISITION

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16-3420 CONSULT WITH ATTORNEY
16-3421 PERSONNEL MATTER

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels: 051-141-17; 027-161-02; 027-161-04; and 199-452-14.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to go into Closed Session for the following purposes: Land Acquisition, Consult with Attorney, and Personnel Matter.

The Board went into Closed Session at 5:12 p.m. and came back into Open Session at 6:25 p.m.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move item 16-3395 - Proclamation-Big Day At The Lake from the Consent section of the agenda to the Awards/Recognition section.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Ridenhour, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3395 PROCLAMATION – BIG DAY AT THE LAKE (COMMISSION PUCKETT)

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a proclamation designating July 23, 2016 as "Big Day At The Lake" in Mecklenburg County.

The proclamation was read by Commissioner Puckett and received by Dave Yochum.

Note: Big Brothers Big Sisters of Greater Charlotte's mission is "Helping children in need reach their potential through professionally supported one-to-one mentoring relationships with

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measurable impact.” Big Brothers Big Sisters of Greater Charlotte was founded in 1972 and is an affiliate of Big Brothers Big Sisters of America. On July 23, 2016, the Big Day at the Lake Committee will hold its annual “Big Day at the Lake Day” on Lake Norman for participating youth, families and volunteers.



16-3412 NC DIVISION OF AGING AND ADULT SERVICES – SENIOR CENTER OF EXCELLENCE CERTIFICATION – TYVOLA SENIOR CENTER

The Board recognized the Park and Recreation Department’s Division of Aging and Adult Services for receiving a Senior Center of Excellence Certification for the Tyvola Senior Center.

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Terri Stowers with Park and Recreation addressed the recognition and introduced Linda Miller, the Director for the Centralina Area Agency on Aging, who presented the award to the County.

PUBLIC APPEARANCE

16-3418 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Elaine Powell asked the Board to consider establishing a Citizens Engagement Advisory Commission. Ms. Powell said “sometimes when we share our life experiences with each other, we understand each other better.” Ms. Powell said the Board needed to engage the citizenry more and listen to their input. She said “building community and democracy go hand and hand.”

16-3421 PERSONNEL MATTER

Commissioner Dunlap, Chair of the Board’s Performance Review Committee, presented the committee’s compensation recommendation for County Manager Dena R. Diorio. The other committee members were Commissioners James, Puckett, and Scarborough.

He noted the following:

County Manager’s Compensation Recommendation
Effective July 1, 2016

The Performance Review Committee convened on June 21, 2016 to review the FY16 performance of County Manager, Dena R. Diorio. The information reviewed included the Manager’s update FY16 Work and Performance plan results as well as comparable data from similar positions with other organizations. Based on a review of this data, the committee reached consensus on the following:

- The County Manager performed all initiatives established in her FY16 work plan at an exemplary level.
- The County Manager demonstrated all leadership competencies ascribed to her position at an exemplary level.
- The County Manager significantly exceeded the established expectations set for the performance year and successfully delivered additional key initiatives at an exemplary level. These additional initiatives are identified in the amended FY16 work plan.

As a result of these findings, the Performance Review Committee recommends the following consistent with the compensation options provided in the Manager’s contract.

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- 4.5% base merit increase
- 5% one time performance based cash award

If approved, the Manager's total compensation would be as follows:

Manager's Compensation	Current Year Effective July 1, 2015	FY17 Proposed Effective July 1, 2016
Base Salary	\$286,000	\$298,870
Deferred Compensation	\$18,816	\$19,663
5% 401k Match	\$14,300	\$14,944
Expense Allowance	\$19,200	\$19,392
Performance Based Cash Award	\$0	\$14,300
Total Compensation	\$338,316	\$367,169

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the County Manager's compensation as follows:

Manager's Compensation	FY17 Effective July 1, 2016
Base Salary	\$298,870
Deferred Compensation	\$19,663
5% 401k Match	\$14,944
Expense Allowance	\$19,392
Performance Based Cash Award	\$14,300
Total Compensation	\$367,169

County Manager Diorio thanked the Board for its continued support, as well as, her staff.

APPOINTMENTS

16-3399 APPOINTMENTS

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BICYCLE COMMITTEE

The vote was taken on the following nominees for appointment consideration to the Bicycle Committee:

Debra Franklin Commissioners Cotham, Dunlap, Fuller, Leake, and Scarborough
Voting Ceased

Jerry Mann
Joy Marshall
Jeffrey Wells

Chairman Fuller announced the appointment of Debra Franklin to the Bicycle Committee to fill an unexpired term, expiring March 31, 2018.

Note: She replaces Donald Pomeroy who resigned because of other obligations.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Gregory G. McDowell and Erica Ruckman to the Juvenile Crime Prevention Council as General Public representatives and Akera Carey and Lauren Marshall as Youth representatives for two-year terms expiring June 30, 2018.

Note: They replace Kellie Anderson, who resigned because of a conflict of interest, Antoine Ensley who resigned and Kourtney Welborn, who did not meet the attendance requirement.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Betty Leake and Susan McDonough to the Small Business and Entrepreneurship Advisory Committee for a two-year term expiring June 30, 2018 and Will Peters to fill an unexpired term expiring June 30, 2017.

They replace Stacey Dennis, who resigned because she relocated, Franklin Freeman, who decided not to seek a second term, and Joe Padilla who resigned because he was appointed to a City of Charlotte advisory board.

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NOMINATIONS/APPOINTMENTS

16-3422 NOMINATIONS/APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Jeff Baker, Fern Paterson, and James Watts to the Air Quality Commission for a three-year term expiring August 31, 2019, effective September 1, 2016.

Commissioner James nominated the following persons for appointment consideration to the Air Quality Commission: Brian Adair, Darryl Curtis, Brian Kasher, Brian Magi, and Brian Miller.

Note: Appointments will occur on August 3, 2016.

BOARD OF MOTOR VEHICLE REVIEW

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Matt McNeill, Warren Neff, Chris Price, and Charles Roberts to the Board of Motor Vehicle Review for a one-year term expiring July 18, 2017, effective July 19, 2016. Secondly, to appoint Charles Roberts as Chairman of the Board of Motor Vehicle Review for the duration of his term.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Jonathan Bahr to the Building Development Commission as a Charlotte Chamber of Commerce representative and as Chairman of the Building Development Commission for a three-year term expiring July 31, 2019, effective August 1, 2016. Secondly, to nominate and appoint Terry Knotts to the Building Development Commission as a Charlotte Chamber of Commerce Small Business representative for a three-year term expiring July 31, 2019.

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The following persons were nominated for appointment consideration to the Building Development Commission by Commissioner James: Jaye Alexander, Scott Browder, and Walter Kirkland.

Note: An appointment will occur on August 3, 2016.

DOMESTIC VIOLENCE ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Berbelichary Carabello, Terrica Hightower, and Mark Renaud to the Domestic Violence Advisory Board to fill unexpired terms, expiring April 30, 2018.

Note: They replace Erik Lindahl who resigned because of a conflict of interest, Lucy Robinson who resigned because she became a County employee, and Ty Turner who resigned because of other time commitments.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Penny Higdon to the Historic Landmarks Commission for a three year term expiring July 31, 2019, effective September 1, 2016.

Note: She replaces Paula Lester who will have served two full terms.

PARK AND RECREATION COMMISSION

The following persons were nominated for appointment consideration to the Park and Recreation Commission for South Region 3 by Commissioner Clarke: Tonya Phifer and Marc Seelinger.

Note: An appointment will occur on August 3, 2016.

PUBLIC HEARINGS – NONE

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ADVISORY COMMITTEE REPORTS

16-3262 DOMESTIC VIOLENCE ADVISORY BOARD (DVAB) ANNUAL REPORT

The Board received the 2015 Annual Report from the Domestic Violence Advisory Board.

Shante' Cotton, Chair of the Domestic Violence Advisory Board gave the report. She was joined at the podium by other members of the advisory board.

A copy of the report is on file with the Clerk to the Board.

Comments

Chairman Fuller expressed thanks to the committee for all of their work. He also acknowledged legislation enacted by the state in the area of domestic violence, which was requested by the County, per the recommendation of the Domestic Violence Advisory Board.

Commissioners Leake expressed thanks to the committee, as well.

Commissioner Cotham asked the committee to consider things that could be done to assist victims of domestic violence that live in Section 8 housing, such that they could be moved from one Section 8 housing location to another. She too, thanked the committee for its work.

Commissioner Scarborough expressed thanks to the committee, as well, and particularly for the impact of its work in the lives of children.

**16-3428 PLANNING COMMISSION – REZONING PETITION 2016-001C – PETITIONER:
NEWMAN-TILLMAN PROPERTIES, LLC**

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move Item 16-3428 Planning Commission – Rezoning Petition 2016-001c – Petitioner: Newman-Tillman Properties, LLC from the County Commissioners Reports and Requests section of the agenda to the Advisory Committee Reports section.

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Tammie Keplinger with the Charlotte-Mecklenburg Planning Commission addressed Rezoning Petition 2016-001c.

Note: The Planning Commission received a rezoning petition (Petition 2016-001C) for a property that is located in the Town of Pineville's sphere of influence, which has not been accepted by Pineville. Therefore, the petition must be heard by the Board of County Commissioners. The Board held a public hearing on June 21, 2016 on Zoning Petition #2016-001(C) for a change in zoning for approximately 6.84 acres located on the west side of Lancaster Highway near the intersection of Lancaster Highway and Rudolph Place Drive from O-1(CD) to BD(CD) and R-3(CD), Petitioner: Newman-Tillman Properties, LLC. The Board deferred a decision until a recommendation was received from the Planning Commission. The Planning Commission's decision was received and is noted below.

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:

Land Use

- 1. Amended the note under "Environmental Features" to clarify the meaning of "a significant portion of the site" by saying the area includes but is not limited to the area to be zoned R-3(CD).*
- 2. Added a note under "Parks, Greenways and Open Space" stating that the "Petitioner will dedicate and convey, at a minimum, the 100-foot SWIM Buffer to Mecklenburg County for future greenway use prior to the issuance of the first Certificate of Occupancy. Additional dedication area may be determined during the construction permitting process in coordination with Mecklenburg County Parks and Recreation."*

Other

- 3. Provided an architectural standards note that refers to building elevations that were also added.*
- 4. Amended the "Lighting" note to specify that no freestanding lighting will be installed on the site except for lighting on bollards, fences and walls to illuminate drive aisles.*

Requested Technical Revisions

- 5. Added the rezoning petition number to the title bar of the site plan.*
- 6. Adjusted the "Rezoning Boundary" to include the entire parcel and change the label for the line between the R-3(CD) and BD (CD) portions to "Proposed zoning boundary line."*

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A copy of the Zoning Committee of the Planning Commission recommendation is on file with the Clerk to the Board.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve a change in zoning for approximately 6.84 acres located on the west side of Lancaster Highway near the intersection of Lancaster Highway and Rudolph Place Drive from O-1(CD) to BD(CD) and R-3(CD), Petition 2016-001C - Petitioner: Newman-Tillman Properties, LLC as recommended by the Planning Commission.

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt the Zoning Committee's Statement of Consistency as the Board of County Commissioner's own.

Zoning Committee's Statement of Consistency

The Zoning Committee found this petition to be generally consistent with the intensity of the uses allowed under the previously approved rezoning based on information from the staff analysis and the public hearing, and because:

- The property is within a portion of the unincorporated area of Mecklenburg County and is designated as in the Sphere of Influence of the Town of Pineville. However, Pineville has not accepted extraterritorial zoning jurisdiction for the property. Therefore, the previously approved rezoning is the only adopted land use policy or action directly applicable to this site.

Therefore, this petition was found to be to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The site is currently entitled for up to 20,000 square feet of office and/or day care use, or for 60 dwelling units, not to exceed three stories/45 feet, and a 38-foot buffer to adjoining residential uses to the south and west; and
- The proposed use is generally consistent with intensity of the uses allowed under the prior rezoning; and
- Property to the north of the subject site is generally industrial in character. The property immediately to the east across Lancaster Highway is a self-storage facility generally similar to the use proposed on this site; and
- Self-storage facilities have low traffic volumes, and the petition limits maximum building heights, and provides building and site design commitments that reduce the impacts on residential uses in the area; and
- The petition also zones a 1.40-acre portion of the site, along McAlpine Creek, to R-3(CD) (single family, conditional). That part of the site will not be developed and the property will be preserved in its natural state;

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The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition as modified.

Resolution & Statement of Consistency recorded in full in Ordinance/Minute Book _____, Documents # _____ and _____.

MANAGER'S REPORT

16-3417 CAPITAL PROJECT ORDINANCES

Finance Director Wanda Reeves presented the Capital Project Ordinances below.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the following Capital Project Ordinances:

1) Adopt the Library Facilities - 2017 Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
LIBRARY FACILITIES - 2017
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY of July, 2016.

Section I. That for the purpose of providing funds, together with any other available funds, for the following project

North County Library Renovation (\$6,700,000)

including the acquisition and construction, the improvement and the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefor, \$6,700,000 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds:	
2016-2017 fiscal year	\$1,381,400
2017-2018 fiscal year	5,318,600

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations

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until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

2) Amend the Library Facilities - 2015 Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
LIBRARY FACILITIES - 2015
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of the *Library Facilities 2015 Capital Project Ordinance*:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY of July, 2016.

Section I. That for the purpose of providing funds, together with any other available funds, for the following project

Morrison Library Renovation (\$8,632,000)

including the acquisition and construction, the improvement and the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefor, \$8,632,000 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds:	
2014-2015 fiscal year	\$106,000
2015-2016 fiscal year	499,000
2016-2017 fiscal year	8,027,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

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**3) Adopt the FY2017 Authorization School Facilities Approved November 5, 2013
Referendum Capital Project Ordinance.**

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 AUTHORIZATION SCHOOL FACILITIES
APPROVED NOVEMBER 5, 2013 REFERENDUM
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF July 2016:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Selwyn ES (\$2,592,000)
PK8 Conversion Phase II (\$24,732,000)
(Ashley Park, Bruns. Ave, WG Byers, Druid Hills, Reid Park, Westerly Hills)
Northridge MS (\$6,048,000)

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, \$33,372,000 is hereby appropriated.

Section II. That it is estimated that the revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

2016-2017 fiscal year	\$1,964,441
2017-2018 fiscal year	16,196,876
2018-2019 fiscal year	12,184,104
2019-2020 fiscal year	3,026,579

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged at which time repayment, if required, will be made: and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

4) Adopt the FY2017 Land Acquisition Capital Project Ordinance.

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**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 LAND ACQUISITION
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF July, 2016.

Section I. That for the purpose of providing funds, together with any other available funds, for providing land for present and future county corporate, open space and community college purposes and the acquisition of improvements thereon and interests in such real property, \$6,600,000 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the acquisition period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds
\$6,600,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

5) Amend the FY2016 Authorization Park and Recreation Facilities Approved November 4, 2008 Referendum Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2016 Authorization Park and Recreation Approved in November 5, 2008 Referendum Capital Project Ordinance as adopted December 1st, 2015*:

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BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF JULY 2016:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects:

See attached Exhibit A

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$147,018,900 is hereby appropriated. The amounts shown for individual projects listed in Exhibit A in the several capital project ordinances which are being amended and restated into this Capital Project Ordinance are no longer effective, and the amounts shown for these projects in the most recently adopted CIP are no longer effective. This will allow funds previously planned to be used for some projects to, instead, be used for other projects on the Exhibit A list.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

2014-2016 fiscal years	\$50,500,000
2017 fiscal year	67,242,790
2018 fiscal year	26,589,000
2019 fiscal year	2,687,110

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

6) Amend the FY16 Government Facilities Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2016 Authorization Government Facilities Capital Project Ordinance as adopted September 1, 2015*:

JULY 6, 2016

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF JULY 2016.

Sections I and II are amended as follows:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Government District Renovations/Relocations
LUESA Relocation
MEDIC Headquarters Relocation
Energy Upgrades

Courtroom Upfits
Valerie C. Woodard Center Renovations
Board of Election Renovations

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities, project management, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$184,764,400 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds:	
2014-2015 fiscal year	\$ 23,014,000
2015-2016 fiscal year	14,795,000
2016-2017 fiscal year	113,291,400
2017-2018 fiscal year	33,664,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund, cash in an amount necessary to meet obligations until such time as permanent funding is arranged, at which time repayment, if required, will be made.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

**7) Adopt the FY17 Authorization Central Piedmont Community College Facilities
Approved November 5, 2013 Referendum Capital Project Ordinance.**

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 AUTHORIZATION
CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES
APPROVED IN NOVEMBER 5, 2013 REFERENDUM
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th Day of July, 2016

JULY 6, 2016

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Basic Skills Literacy Center	\$55,800,000
Central Campus@Charlottetown Ave.	\$23,475,718
Terrell Renovation and Expansion	\$30,176,500

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$109,452,218 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds

2016-2017 fiscal year	\$14,979,888
2017-2018 fiscal year	32,661,634
2018-2019 fiscal year	42,514,488
2019-2020 fiscal year	19,296,208

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

8) Adopt the FY17 Park and Recreation Facilities Eastway Park Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 EASTWAY PARK REGIONAL RECREATION CENTER
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF July 2016:

Section I. That for the purpose of providing additional funds, together with any other available funds for the following projects:

Regional Recreation Center-Eastway Park (Design)	\$1,000,000
--	-------------

including the acquisition and construction of new facilities, the improvement and expansion of existing

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facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$ 1,000,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2016-2017 fiscal year	\$ 1,000,000

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

16-3430 AGREEMENT REGARDING WALTON PLAZA

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the agreement regarding Walton Plaza.

Note: This agreement deals with the County's purchase of the Board of Education's 50% interest in the building and land it is on and a parking easement over the parking lot. Based on a recent appraisal, the County and CMBE have come to agreement that the value of the Charlotte-Mecklenburg Board of Education (CMBE) interest is \$5,610,000. CMBE will convey its interest in the building and the parking easement to the County upon payment of this price. These will be County funds and as such are not from capital funds previously allocated for school purposes. The Board of Education has nearly vacated Walton Plaza and this agreement would also serve to terminate the 1994 agreement.

Senior Assistant to the County Manager Dennis LaCaria presented the above matter.

Agreement recorded in full in Ordinance/Minute Book _____, Document # _____.

16-3436 PRESENTATION: MEMORIAL STADIUM RENEWAL PROJECT

The Board received an update on the Memorial Stadium Renewal Project from Director of Mecklenburg County Park and Recreation Jim Garges.

Note: Mecklenburg County has been having collaborative discussions with the City of Charlotte, Charlotte Regional Visitors Authority (CRVA), Charlotte Independence and Center City Partners regarding renovations to Memorial Stadium.

A copy of the presentation is on file with the Clerk to the Board.

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Comments

Commissioner Ridenhour asked about the status of the design process, which was addressed. He expressed his desire for the stone wall to remain where it currently was on the field level.

Commissioner Ridenhour asked that the Park and Recreation Commission be a part of this process and used as a “sounding board.”

Commissioner Clarke asked about funding, specifically the \$16 million and where would it come from. *Director Garges said \$8 million would come from the City of Charlotte and the CRVA. He said it was staff’s belief that the County could come up with \$8 million and through a line of credit and different types of ways that Charlotte Independence could get involved and would also put in \$8 million. He said the County Manager asked that staff make sure it had a guarantee. Director Garges said the County may have to advance most of the money to do it but would make sure the County got its portion paid back.*

Director Garges said he felt staff could put a good financing plan together, which the Board would have to approve.

Commissioner Clarke said he hoped the desire was that this would be built for the community’s youth and the public in general, as it had always been, and not for a professional sports team.

Commissioner Clarke said he would like to know more going forward about parking accommodations.

Commissioner James asked about seating capacity, parking, and the first aid station, which was addressed.

Commissioner Dunlap commented on the economic development piece of the project. He noted that he was not opposed to moving the stone wall to another location.

Commissioner Dunlap asked was the proposed 10,000 seats adequate for hosting concerts. *Director Garges said yes and elaborated.*

Commissioner Dunlap questioned placing concessions and ticketing all in one area. *Director Garges said what was shown was for illustration purposes. He said everything would not be in the same area.*

Commissioner Puckett said he was okay with the stone wall being moved, if it was necessary. He expressed excitement for the project.

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Commissioner Leake said she was a little hesitant about moving forward with the project, in light of there being other park projects previously approved that had not gotten started.

Commissioner Leake questioned lacrosse and soccer being the main focus. She also questioned whether it would become a facility for predominantly professional sports.

Commissioner Leake asked about prior renovations to Memorial Stadium, which was addressed.

Commissioner Leake expressed concern about the affordability of the facility for residents.

Commissioner Leake asked about other entities that would assist with the financing of the facility, which was addressed.

Commissioner Leake asked what would happen to the project if \$8 million wasn't received from the private sector. *Director Garges said the project would not move forward.*

Commissioner Leake inquired about the ability for high schools to utilize the facility for football, which was addressed.

Jesse Newsom, a local resident, spoke in support of the Memorial Stadium Renewal Project and particularly for its use for soccer.

Chairman Fuller commented on the Grady Cole building and noted it, too, needed renovating.

Commissioner Cotham asked whether any preference or "edge" was given to N.C. companies as it related to furnishings for facilities. She referenced a company (Sports Edge) that use to be in Matthews and was now in or near Troutman. The company sells soccer equipment. *County Attorney Bethune addressed the procurement process. He noted that NC General Statutes did not allow the County to give any company an "edge." He said if there was a tie between companies, then the NC company could be chosen, however, he did not recall that type of situation ever occurring.*

This concluded the discussion. The above is not inclusive of every comment but was a summary.

16-3437 WHITEWATER CENTER AMEBIC INFECTION UPDATE

The Board received an update on the U.S. National Whitewater Center amebic incident from Dr. Stephen Keener, Mecklenburg County Medical Director. He was joined at the podium by Lisa

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Corbitt with the Health Department, Assistant Health Director Cardra Burns, and Rusty Rozzelle with LUESA.

Note: Mecklenburg County and North Carolina state health officials received notification on June 22, 2016 from the federal Centers for Disease Control and Prevention (CDC) that the June 19, 2016 death of an Ohio resident who recently visited the U.S. National Whitewater Center (USNWC) was suspected to be from an ameba that is naturally present in warm lakes during the summer. The suspected cause of death was attributed to Primary Amebic Meningoencephalitis, an infection caused by Naegleria fowleri, a one-celled organism that does not cause illness if swallowed, but can be fatal if forced up the nose. The U.S. National Whitewater Center remains open for all activities except the whitewater channel, which was closed voluntarily on June 24, 2016.

Highlights

- Plan Review Process (2004)
 - Determination made by NCDENR (now NCDHHS):
 - Pool Standards Don't Apply
 - Surface Water Quality Standards Don't Apply
 - Not a natural body of water

Responsibilities

- County and State Health Department
 - Restaurant Inspections
 - New Pool Construction
 - All other activities are not regulated

Current Status

- Whitewater channel closed since Friday, 6/25
- Remainder of USNWC open as usual
- Water in channel has been drained to lower pond
- Workers are power washing upper pond and channels
- Plans for removing water and organic matter in lower pond being reviewed

Next Steps

- CDC believes there needs to be engineering and operating modifications before reopening
- CDC provided contact information for several large water system design/engineering consultants to USNWC operators
- Discussions about how to ensure monitoring of water quality

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Comments

Commissioner James asked about the CDC and state standards for this type of ameba. *Dr. Keener said it was his understanding there were no applicable CDC or state standards.*

Dr. Keener said the CDC said the best way to monitor a water environment for naegleria was to monitor the chemical characteristics of the water, such as chlorine.

Commissioner Dunlap questioned why the state did not ask the legislature to enact some type of legislation that would govern the whitewater rafting activity. *Dr. Keener said he could not answer that question, specifically, but that most of the rules that existed were promulgated by commissions that were appointed by the governor and the legislature. He said there would be a statute that would be a broad law that would say there would be rules that were created to be specific about what would need to happen. He said those rules could be changed on a fairly short period of time, versus going through the legislative process.*

Dr. Keener said it was much easier to make needed changes through a process of professionals and citizens with public review and public hearing, then it was to go to the general assembly and try to get someone to introduce legislation and gather support for it and it's a bi-annual thing.

Commissioner Dunlap commented on how the state passes down unfunded mandates. He said if the state was not prepared to introduce such legislation, they should have at least said to the County, "you can have your Health Department come up with some regulations that might govern this."

Commissioner Leake said she had hoped the state would have taken some type of action, as well.

Commissioner Puckett said it was his understanding that NC State Representative William Brawley wanted to offer up some type of action in response to this matter, but was told, as was the County, by the CDC, to wait until input was received from experts in the field.

Commissioner Cotham asked about the structure of the Whitewater Center, specifically the surface of the whitewater rafting component, which was addressed by Ms. Corbitt.

Ms. Corbitt said it was a concrete walled area, but that the issue was that it was a shallow environment and the water gets warmer there. She said there was an organic load that had to be managed and controlled. Ms. Corbitt said it was more complex than the issue of the concrete.

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Commissioner Cotham asked could the water be cooled. *Ms. Corbitt explained that because of the environment in which the facility was in, it would be difficult to keep the water cool. She said were the water cooler, the naegleria wouldn't survive, however, we're in the south, and therefore the water would be warmer.*

Commissioner Cotham said it was her understanding that when the facility was being built, Duke Power was involved and would not allow the water to come in and go out into the river. She asked could the design of the structure be changed to allow that in and out process to occur. *Ms. Corbitt said that would be a total design change, which would then have to go through the approval process. She said the current area was a closed loop system, separated from the river.*

Commissioner Ridenhour asked for clarity regarding naegleria, which Dr. Keener addressed.

Dr. Keener noted that naegleria was prevalent in warm, southern, fresh water locations. He said it was not in salt water.

Commissioner Ridenhour asked about the lower pond or basin that the water drained into, which Ms. Corbitt addressed.

Commissioner Ridenhour asked about the number of cases involving naegleria. *Dr. Keener said a total of 138 cases had been reported, ever, and out of those, only three persons survived.*

Commissioner Clarke asked about the CDC's response as it related to needed engineering and operating modifications, which Dr. Keener commented on.

Commissioner Clarke asked if Whitewater Center officials were in contact with staff. *The response was yes.*

Chairman Fuller said another concern was how prevalent was the ameba in other bodies of water within the County. *Dr. Keener said the only sense that staff had of its presence was the fact that it was found in the sediment of the Catawba River where the Whitewater Center was.*

Dr. Keener said it would be a "fair statement to say that given the temperature and type of water where it's located, that if you were to scour the bottom of the river and the lake that you would find it."

Chairman Fuller asked was it fair to say that the deeper the water, the less likely your contact with it would be. *Dr. Keener said that would seem to be a logical conclusion.*

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Chairman Fuller asked was it possible to eradicate it in a closed system by perhaps using chlorine. *Dr. Keener said chlorine would kill it if the water was free from organic matter and algae and those types of things. He said one of the challenges, however, was to try and control the organic matter in the water channel. He said the chlorine would not penetrate down to where the thick growths of algae was.*

Commissioner Scarborough asked about the timeline for receiving final information with respect to this issue. *Dr. Keener said he did not have an answer.*

Commissioner Scarborough asked had this type of incident occurred in other bodies of water. *Deputy Health Director Burns said it had happened, but not in a setting like at the Whitewater Center, which made it unique.*

Chairman Fuller noted that the Whitewater Center voluntarily closed the whitewater rafting section of its facility.

Commissioner Puckett said unfortunately there were no regulations regulating this type of whitewater rafting facility.

Commissioner Ridenhour asked about the filtration system and testing of the water, which was addressed by Ms. Corbitt and Mr. Rozzelle.

Commissioner Clarke asked about the doings, thus far, of the state, which Dr. Keener addressed. *It was noted that the state had provided lots of support and that it was the state that brought the CDC into the process.*

This concluded the update. The above is not inclusive of every comment but was a summary.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3435 FEATURE DEPARTMENT PRESENTATION: MEDICAL EXAMINER

The Board received as information a report from Mecklenburg County's Medical Examiner Dr. Thomas Owens on the Medical Examiner's Office operations.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioners expressed thanks to Dr. Owens for his office's work.

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Commissioner Leake asked about the Office's funding and staff, which was addressed.

STAFF REPORTS & REQUESTS

16-3403 CODE ENFORCEMENT UPDATE

The Board received an update from Land Use & Environmental Services Agency Director Ebenezer Gujjarlapudi on the ongoing efforts by the County to enhance Land Use & Environmental Services Agency (LUESA) - Code Enforcement's customer service and permitting and inspection process.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Dunlap thanked staff for the work that had been done and commented on the continued need for customer input in the process of improving customer service.

Commissioner Cotham complimented staff for the progress that had been made.

Commissioner Cotham asked about the development of a collaborative system between the County and City of Charlotte to address the gaps between zoning, land development, and permitting, which was addressed.

Commissioner Cotham asked about the timeline for the single portal unified technology platform, which was addressed. *It was noted that it was difficult to give a specific timeline, in light of the complexes involved.*

Commissioner Cotham asked about pre-submittal meetings, which was addressed.

Commissioners Leake, Ridenhour, as well as, Chairman Fuller also thanked staff for its progress in this area.

Commissioner Cotham left the dais and was away until noted in the minutes.

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3423 SELECTION OF NCACC ANNUAL CONFERENCE VOTING DELEGATE

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Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Commissioner Leake as the Board's voting delegate for the 2016 Annual North Carolina Association of County Commissioners (NCACC) Conference to be held August 11-14, 2016 in Winston-Salem, N.C., Forsyth County.

**16-3438 ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD CEO SALARY APPROVAL
(CHAIRMAN FULLER)**

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the salary for the Alcoholic Beverage Control Board CEO, Jason Hughes, as requested and approved by the ABC Board, in the amount of \$166,400, a 4% performance increase, effective July 1, 2016.

Note: State Statute requires the approval by the board of county commissioners as the appointing authority for the Mecklenburg County ABC Board. Article 7. Local ABC Boards. § 18B-700. Appointment and organization of local ABC boards. Subsection: (g1) Compensation of General Managers of Local Boards. - The salary authorized for the general manager, as defined in G.S. 18B-101, of a local board shall not exceed the salary authorized by the General Assembly for the clerk of superior court of the county in which the appointing authority was originally incorporated unless such compensation is otherwise approved by the appointing authority. The local board shall provide the appointing authority's written confirmation of such approval to the Commission. Any change in compensation approved by the appointing authority shall be reported to the Commission in writing within 30 days of the effective date of the change. The general manager of a local board may receive any other benefits to which all employees of the local board are entitled. The salary authorized for other employees of a local board may not exceed that of the general manager.

Commissioner Cotham returned to the dais.

CLOSED SESSION

16-3415 LAND ACQUISITION – BACK CREEK NEIGHBORHOOD PARK & GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 051-141-17 (+/-

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29.12 acres) in the extra-territorial jurisdiction of City of Charlotte from Ronald S. Gaynor, Successor Trustee for the William Arther Myers, Jr Revocable Trust and the Lucy S. Myers Family Trust for a neighborhood park and greenway property along Back Creek for a purchase price of \$1,310,000.

16-3415 LAND ACQUISITION CLARK’S CREEK NATURE PRESERVE EXPANSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to 1) authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 027-161-02 (+/- 8.168 acres) in the City of Charlotte from Gerald Richard Davis and wife Mary Beth K. Davis and Janette Davis Coyle and husband Thomas Joe Coyle for expansion of Clark’s Creek Nature Preserve for a purchase price of \$390,000. 2) authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 027-161-04 (+/- 2.81 acres) in the City of Charlotte from Gerald Richard Davis and wife Mary Beth K. Davis for expansion of Clark’s Creek Nature Preserve for a purchase price of \$300,000.

CLOSED SESSION

16-3415 LAND ACQUISITION MCDOWELL NATURE PRESERVE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 199-452-14 (± 9.88 acres) from the heirs of Peggy Smith Green in the extra-territorial jurisdiction of the City of Charlotte for \$338,000.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3405 ORDER OF COLLECTION – 2016 AD VALOREM TAXES

Authorize the Tax Collector to collect 2016 taxes.

JULY 6, 2016

**ORDER OF COLLECTION
NORTH CAROLINA, MECKLENBURG
TO THE TAX COLLECTOR OF MECKLENBURG COUNTY
GENERAL STATUTE 105-321(b)**

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the office of the Tax Assessor and the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in Mecklenburg and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Note: North Carolina General Statute (NCGS) 105-321(b) states: "Before delivering the tax receipts to the tax collector in any year, the board of county commissioners or municipal governing body shall adopt and enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts. A copy of this order shall be delivered to the tax collector at the time the tax receipts are delivered to him, but the failure to do so, shall not affect the tax collector's rights and duties to employ the means of collecting taxes provided by this subchapter. The order of collection shall have the force and effect of a judgment and execution against the taxpayers' real and personal property."

Order recorded in full in Ordinance/Minute Book _____, Document # _____.

16-3410 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$10,516 for Asset and Facility Management and \$1,580 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3411 LAND DONATION – LITTLE SUGAR CREEK

Accept donation of Tax Parcels 081-099-05 (+/- .17 acres) located at 829 Belmont Avenue and 081-084-13 (+/- .389 acres) located at 1015 McAden Street from the City of Charlotte.

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Note: The property will be used for open space and future creek enhancement/restoration projects.

16-3413 EASEMENT CONVEYANCE – WILLIAM H. STEWART

Authorize the County Manager to negotiate and execute all documents necessary to grant a Permanent Sanitary Sewer Easement on County-owned Tax Parcel 115-046-10 (±0.16 acres) to William H. Stewart.

Note: The County is currently in the process of constructing park amenities at Southwest Community Park in west Charlotte. Prior to construction commencing, County staff discovered raw sewage on the park property that was coming from a failed sewer line running across County property and servicing the adjacent property. The adjacent property, owned by William H. Stewart, had an undersized sewer pipe running across County property from its property to the City of Charlotte's main trunk sewer line. The County, as part of its park project budget, replaced the pipe to ensure that the health and safety issues were resolved and wouldn't cause further damage to County property or delay construction of the park amenities. County staff recommends granting a permanent sewer easement to William H. Stewart so that he is required to maintain the new sewer line moving forward.

16-3414 STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Robin Oliver, sole heir to Alice P. Harris estate, owner of property at 5412 Kinsale Lane (Tax Parcel 099-116-08), for \$89,000.
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: These acquisitions are being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

16-3419 MINUTES

1. Approve Minutes of Regular meeting held June 21, 2016.

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2. Authorize the Clerk to amend the minutes of June 8, 2016 in order to insert the list of tax parcels addressed in Closed Session on June 8, 2016 that were inadvertently omitted.

16-3425 MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE (SECOND READING)

Approve the Amended and Restated Mecklenburg County Solid Waste Fee Ordinance.

Note: LUESA Solid Waste proposed changes to the Mecklenburg County Solid Waste Fee Ordinance by revising the Various Solid Waste fees for materials that are received at County Facilities. Changes include, but not limited to:

- 1. Adding a definition section to the Ordinance for reader clarity and better understanding of various terms;*
- 2. Incorporating tables rather than text to make the document more precise;*
- 3. Introducing different fees for residential and non-residential customers at Convenience Centers;*
- 4. Incorporating fees to cover the costs associated with accepting, processing, and transporting the waste materials to the final disposal point;*
- 5. Establishes that Business Recycling Partners (who choose to participate) must now pay an annual fee to have a recycling dumpster can, which had previously been provided at no charge.*

LUESA Solid Waste additionally proposed to increase the Residential Solid Waste Fee from the current \$17 per year to \$20.50 per year. This increase is included in the FY 2017 Operating Budget request and is not part of the Mecklenburg County Fee Ordinance.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

**16-3426 LAND USE AND ENVIRONMENTAL SERVICES FEE ORDINANCE REVISION
(DEMOLITION PERMIT RENOVATION FEES) (SECOND READING)**

Amend LUESA Fee Ordinance to revise demolition permit fees.

Note: During FY 2013, LUESA agencies (Air Quality, Environmental Health, Code Enforcement) proposed revisions to the demolition permit fee structure. The previous (1992-2012) consolidated Demolition fee structure was created in 1997 in an effort to simplify the process for customers (it created one payment process) but had not changed for 15 years. At its April 17, 2012 meeting, the Building Development Commission (BDC) voted to support a FY13 increase of 10% followed by four annual increases of 2.5%, in each of FY14, FY15, FY16 and FY17. The Board of County Commissioners voted in favor of the initial 10% demolition permit fee increase on June 5, 2012, and three subsequent 2.5 % increases in June 2013, June 2014 and June 2015. This Action Item requests the final of the four 2.5% Demolition Permit Fee increases as recommended by the BDC in its March 15, 2016 meeting.

Demo Fee changes in Fy17.

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1. Current Demo Fee structure

an excerpt from the LUESA Fee Ordinance as currently posted on meckpermit.com

Size – Square Footage	Per Structure Additional
Less than 500 \$119.00	\$0.00
500 to 4,999 \$474.00	\$356.00
5,000 to 9,999 \$711.00	\$356.00
10,000 and above \$889.00	\$356.00

5. Renovations

Renovation means altering a facility or one or more facility components in any way, including the stripping or removal of Regulated Asbestos-Containing Material (RACM) from a facility component.

For all renovations in which a NESHAP regulated quantity of RACM is to be stripped, removed, dislodged, cut, drilled, or similarly disturbed (including applicable NESHAP notification.) \$356.00

2. Proposed Fy17 changes Demo Fee structure

Reflecting 2.5% increase proposed by the Department and supported by the BDC in their March 15 vote, **with changes shown in red**

Size – Square Footage	Per Structure Additional
Less than 500 \$122.00	\$0.00
500 to 4,999 \$486.00	\$365.00
5,000 to 9,999 \$729.00	\$365.00
10,000 and above \$911.00	365.00

5. Renovations

Renovation means altering a facility or one or more facility components in any way, including the stripping or removal of Regulated Asbestos-Containing Material (RACM) from a facility component.

For all renovations in which a NESHAP regulated quantity of RACM is to be stripped, removed, dislodged, cut, drilled, or similarly disturbed (including applicable NESHAP notification.) **\$365.00**

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

**16-3427 LAND USE AND ENVIRONMENTAL SERVICES FEE ORDINANCE REVISIONS
(TOTAL CONSTRUCTION PERMIT VALUE/PERMIT) (SECOND READING)**

Amend the LUESA Fee Ordinance reducing permit fees 5%.

Permit Fee Changes in FY 17:

Section II

JULY 6, 2016

A. PERMIT FEES

1: Current Permit Fee Schedule

<u>1. Total Construction Cost per Permit</u>	<u>Fees</u>
\$1 to \$3,000	\$62.85 Minimum Fee-Projects not requiring a plan review
\$1 to \$7,001	\$83.80 Minimum Fee-Commercial Projects requiring plan review
\$3,001 to \$50,000	\$62.85 plus \$12.83 per \$1000 or part over \$3,000
\$50,001 to \$100,000	\$665.86 plus \$5.78 per \$1000 or part over \$50,000
\$100,001 to \$150,000	\$954.86 plus \$6.24 per \$1000 or part over \$100,000
\$150,001 to \$250,000	\$1,266.86 plus \$4.83 per \$1000 or part over \$150,000
\$250,001 to \$1,000,000	\$1,749.86 plus \$5.31 per \$1000 or part over \$250,000
\$1,000,001 to \$10,000,000	\$5,732.36 plus \$2.78 per \$1000 or part over \$1,000,000
Over \$10,000,000	\$30,752.36 plus \$1.42 per \$1000 or part over \$10,000,000

2: Proposed FY 17 changes to Permit Fee Schedule

<u>1. Total Construction Cost per Permit</u>	<u>Fees</u>
\$1 to \$3,000	\$59.70 Minimum Fee-Projects not requiring a plan review
\$1 to \$7,001	\$79.61 Minimum Fee-Commercial Projects requiring plan review
\$3,001 to \$50,000	\$59.70 plus \$12.19 per \$1000 or part over \$3,000
\$50,001 to \$100,000	\$632.57 plus \$5.49 per \$1000 or part over \$50,000
\$100,001 to \$150,000	\$907.12 plus \$5.93 per \$1000 or part over \$100,000
\$150,001 to \$250,000	\$1,203.52 plus \$4.59 per \$1000 or part over \$150,000
\$250,001 to \$1,000,000	\$1,662.37 plus \$5.05 per \$1000 or part over \$250,000
\$1,000,001 to \$10,000,000	\$5,445.74 plus \$2.64 per \$1000 or part over \$1,000,000
Over \$10,000,000	\$29,214.74 plus \$1.35 per \$1000 or part over \$10,000,000

Section 2: All other sections of the Ordinance remain in full force and effect.

Section 3: This amendment to be effective immediately upon approval by the Board of County Commissioners, or July 1, 2016, whichever date occurs last.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT.

16-3401 BUDGET AMENDMENT – FLEET AUCTION REVENUE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett,

JULY 6, 2016

Ridenhour and Scarborough voting yes, to recognize general County vehicle auction revenue of \$318,280.07 and appropriate to the Fleet Reserve Fund.

Commissioner Leake removed this item from Consent for more public awareness.

16-3409 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

- 1) Recognize, receive and appropriate additional Medicaid revenue of \$383,768 in the Pregnancy Care Management and Care Coordination for Children services.
- 2) Approve the creation of a Nurse Case Manager and a Senior Social Worker in the Pregnancy Care Management program to be funded with the additional revenue.
- 3) Recognize, receive and appropriate additional funding of \$212,528 from NC Division of Public Health (DPH), Women’s and Children’s Health Section.
- 4) Approve the creation of an Information/Education Coordinator to be funded with the additional funding from DPH.

Commissioner Leake removed this item from Consent for more public awareness.

**16-3416 DECLINE RIGHT OF FIRST REFUSAL – CHARLOTTE-MECKLENBURG SCHOOLS
PROPERTY**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline the County’s statutory right of first refusal for property that is owned by the Charlotte-Mecklenburg Board of Education on a portion of the Tax Parcel #065-091-19, (the “Lakeview School Property”) for the purpose set forth in the proposed Lease Agreement with CMBE and Lakewood Preschool Corporation which is the operation of a tuition-free public school for children ages 0-12.

Note: By state statute, the County must decline its right of first refusal to any properties the Charlotte-Mecklenburg Board of Education intends to dispose of prior to it moving forward with conveyance to another entity.

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Commissioner Leake removed this item from Consent for more public awareness.

16-3424 CONSTRUCTION CONTRACT – DOUBLE OAKS FAMILY AQUATIC CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to Holden Building Company, Inc. in the amount of \$2,795,500 for the construction of a new pool, restroom and support building, parking and site improvements at Double Oaks Family Aquatic Center.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:01 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, August 3, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, George Dunlap, Bill James,
Vilma D. Leake, Jim Puckett, Matthew Ridenhour,
and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Patricia “Pat” Cotham

-INFORMAL SESSION-

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3286, 16-3439, 16-3442, 16-3446, and 16-3453 to be removed from Consent and voted upon separately.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move the following items from the Consent section of the Agenda to the Awards/Recognition section: Item 16-3439 Proclamation-Designating Women’s Equality Day in 2016 and Item 16-3446 Proclamation-Child Support Awareness Month.

STAFF BRIEFINGS

**16-3460 LAND CONVEYANCE, INTERLOCAL AGREEMENT & LEASE MODIFICATION –
MECKLENBURG COUNTY, CENTRAL PIEDMONT COMMUNITY COLLEGE AND THE
TOWN OF HUNTERSVILLE**

Jacqueline McNeil with Asset and Facility Management addressed a proposed land conveyance.

Commissioner Dunlap entered the meeting.

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It was noted that Central Piedmont Community College (CPCC) and the Town of Huntersville approached County staff with a proposal to convey County-owned land within Huntersville for expansion of the Merancas Campus and for construction of a recreation center by the Town.

Comments

Commissioner Dunlap asked was it possible to keep park and recreation components contiguous, as well as, CPCC components. *Kathy Drumm with CPCC commented on why things would be located as proposed.*

Commissioner Dunlap asked was there any use for the building on the former Gatling Juvenile Detention Center property. *The response was no.*

Commissioner Scarborough asked about a trash dumpster in the area and if it would ever be closed or removed. *It was noted that what Commissioner Scarborough was referencing was not in the area of the proposed conveyance.*

Commissioner Puckett said residents were pleased with the County's recycling center that was in the vicinity of the proposed conveyance area.

Commissioner Leake asked how long had staff known about the proposal, which was addressed. Commissioner Leake said she would have liked to have known about it sooner, in light of being such a large project.

Commissioner Leake asked about the training village and its impact on the local school system, including UNC-Charlotte, as it related to their vocational skills programs. *It was noted that this had no impact on either. Also, that this was not a new program, but rather an expansion of the existing program.*

Commissioner Leake asked would the property remain the County's. *The response was no, but that there would be restrictions placed on the property.*

Commissioner Leake asked about the value of the property. *It was noted that a market appraisal was not done, since it was being conveyed at no cost.*

Commissioner Leake said she wished one had been done, so the public would be aware of what the County was doing to assist with growth in this area. Commissioner Leake asked that the value of the property be determined and made known to the public.

Commissioner Clarke asked was the County committing itself to funding a bond for this project. *County Manager Diorio said no. Kathy Drumm with CPCC addressed funding.*

Commissioner Puckett spoke in support of the project and complimented staff and the other parties involved for their work on this.

Commissioner Leake asked if the toll roads had anything to do with this. *Commissioner Puckett said no and that individuals on the toll road wouldn't be able to get this area directly.*

Commissioner Leake asked if the County would have anything to do with the recreation center noted in the project. *It was noted that the recreation center would belong to the Town of Huntersville.*

Commissioner Leake asked about the impact of the proposed recreation center on the Waymer Center. *Commissioner Puckett said he hoped there would continue to be collaboration between the Town of Huntersville Park and Recreation and the County's, to address the needs of all*

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residents of the community. Commissioner Puckett said the two facilities should complement each other.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Authorize the County Manager to negotiate and execute all documents necessary for the conveyance of Tax Parcels 017-204-01, 017-204-04, 017-421-11, 017-204-02, and a portion of 017-421-10 (+/- 15.60 acres) to Central Piedmont Community College for the construction of a Public Safety Center, a Public Safety Training Village and a Commercial Driving License Parking Lot within the Town of Huntersville;
2. Adopt a resolution titled "Resolution approving the Merancas Campus Expansion and Huntersville Recreation Center Interlocal Cooperation Agreement among Mecklenburg County, Central Piedmont Community College, and the Town of Huntersville;"
3. Authorize the County Manager to negotiate and execute a Fourth Amended and Restated Lease Agreement between Mecklenburg County and the Town of Huntersville to remove Tax Parcels 017-421-11, 017-204-02, and a portion of Tax Parcel 017-421-10 from the lease for conveyance to Central Piedmont Community College.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS**

RESOLUTION APPROVING THE MERANCAS CAMPUS EXPANSION AND HUNTERSVILLE RECREATION CENTER INTERLOCAL COOPERATION AGREEMENT AMONG MECKLENBURG COUNTY, CENTRAL PIEDMONT COMMUNITY COLLEGE, AND THE TOWN OF HUNTERSVILLE AND THE CONVEYANCE OF +/- 15.60 ACRES OF PROPERTY ON THE NORTH AND SOUTH SIDES OF VERHOEFF DRIVE IN HUNTERSVILLE TO CENTRAL PIEDMONT COMMUNITY

WHEREAS, Mecklenburg County (County) owns Tax Parcels 017-204-01 and 017-204-04 on the north side of the intersection of Verhoeff Drive and Highway 21 that were the site of the former Gatling Juvenile Detention Center; and

WHEREAS, the County owns Tax Parcels 017-421-11 and 017-204-02 on the south side of the intersection of Verhoeff Drive and Highway 21 which have been leased to the Town of Huntersville (Town) for the site of a future recreation center to serve the residents of Huntersville; and

WHEREAS, the County owns Tax Parcel 017-421-10 which has been leased to the Town of Huntersville for use as the Huntersville Athletic Community Park; and

WHEREAS, Central Piedmont Community College (CPCC) has determined that the Mecklenburg County community has an immediate and long term need to close the skills gaps in high demand jobs areas such as law enforcement, fire, emergency medical services, and commercial driving, and CPCC is making efforts to expand its program offerings to address the demand for skilled professionals in these areas; and

WHEREAS, the County, CPCC and Town have mutually agreed to cooperate in the expansion of CPCC's Merancas Campus and construction of the Town's recreation center by entering into an Interlocal Cooperation Agreement, conveying certain parcels of County owned property to CPCC without compensation, and modifying the lease agreement between the County and the Town; and

WHEREAS, consistent with this agreement to cooperate in the expansion of the Merancas Campus, the County has agreed to convey to CPCC Tax Parcels 017-204-01 & 017-204-04 (the former Gatling Juvenile Detention Center) for construction of a Public Safety Center that will be used for classroom instruction, as well as County owned Tax Parcels 017-421-11, 017-204-02, and a portion of 017-421-10 for construction of a Public Safety Training Village and Commercial Driving License (CDL) parking lot. While these parcels are being deeded to CPCC without compensation to the County, the following restrictions will be placed in each deed:

- At the County's request, the properties shall revert back to the County if not under construction by July, 2030
- The properties shall revert back to the County if not used for its intended purpose
- CPCC may not convey the properties to any third-party entity for any reason without first obtaining the approval of the County

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- At the County's request, CPCC agrees to pay for demolition and abatement of any facilities built on the properties by CPCC, if the property reverts back to the County for not being used as intended; and

WHEREAS, the Town originally planned to build its recreation center on County owned Tax Parcels 017-421-11 and 017-204-02 under its lease agreement with the County. However, since this property is now the proposed site of the Public Safety Training Village and CDL parking lot, the County and Town will now modify the lease agreement to remove the property from the lease, and the Town will construct the recreation center on the eastern portion of Tax Parcel 017-421-10 instead; and

WHEREAS, the County, CPCC, and the Town have agreed to enter into an Interlocal Cooperation Agreement and other Joint Use Agreements as it relates to the funding, construction, and use of the Public Safety Center, the Public Safety Training Village, the CDL parking lot, and the recreation center (See attached Exhibits A and B). Such agreements are as follows:

Public Safety Center (Parcels 017-204-01 & 017-204-04)

- The Public Safety Center will be built with future, undetermined bond funds. If not built by July 2030, the Town, County, and CPCC will renegotiate continued and future use of the property
- Joint use of the parking lot at the Public Safety Center by the Town for the Huntersville Aquatic Center will be established upon CPCC receiving funding for the project. If parking is needed by the Town, prior to the CPCC receiving funding, then the Town and CPCC will enter into a Joint Use Agreement establishing the conditions of parking on the property
- Other conditions (frequency, hours, etc.) of the Town's use of parking will be established in a Joint Use Agreement upon funding becoming available for the project
- CPCC accepts the property from the County in its "as is" condition, and upon conveyance of the land to CPCC by the County, CPCC will become responsible for all improvements located on the property
- The County will not participate in the cost to remediate or demolish the former Gatling Juvenile Detention facility

Public Safety Training Village and CDL Parking Lot (Parcels 017-421-11, 017-204-02 & portion of 017-421-10)

- The CDL Parking Lot and associated laboratory space will be constructed by CPCC within twenty-four (24) months of transfer of the property from the County to CPCC and execution of the Interlocal Agreement
- The Town and CPCC will enter into a Joint Use Agreement that spells out the conditions by which the Town is allowed to use the parking lot being constructed by CPCC
- CPCC agrees that the County will not participate in the cost of construction for the Public Safety Village and CDL Parking lot and laboratory space beyond any funding that may be provided to CPCC through the County's capital budgeting process
- Upon conveyance of the land to CPCC and approval by the State Board of Community Colleges, CPCC agrees to use State of North Carolina 2016 Bond funds for design and construction of the CDL Parking Lot and laboratory.

Town of Huntersville Recreation Center (eastern portion of Parcel 017-421-10)

- Instead of constructing its recreation center on County-owned parcels 017- 421-11 & 017-2 04-02, the Town will construct the recreation center on the eastern portion of parcel 017-421-10
- The Town agrees to solely fund construction of the recreation center
- The Town and CPCC will enter into a Joint Use Agreement that allows use of the recreation center by CPCC
- As part of its recreation center construction, the Town is constructing a driveway entrance onto parcel 017-421-10. The Town agrees to grant CPCC an access easement across the driveway which will allow CPCC to have access to a future parking lot (to be constructed by CPCC) on its adjacent parcel (017-421-07)

CPCC Merancas Campus Parking Lot (portion of Parcel 017-421-07)

- CPCC agrees to construct at least 100 additional parking spaces along the western boundary of the property within close proximity to the recreation center to be built by the Town
- CPCC agrees to solely fund the design and construction of the parking lot with a vehicular connection to the Town's recreation center driveway
- The Town and CPCC will enter into a Joint Use Agreement that allows the Town to use the parking lot for activities that take place at the Huntersville Athletic Park and the new recreation center; and

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WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; **now, therefore, be it**

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute interlocal agreements among the County, CPCC, and the Town, as well as deeds and a lease amendment as necessary to accomplish the purposes stated above, consistent with the business terms outlined in the above.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

SURPLUS LAND DISPOSITION – SPECTOR DRIVE

Dennis LaCaria, Senior Assistant to the County Manager addressed the proposed disposition of County owned property at 5200 Spector Drive.

The following was noted:

As part of Bringing Mecklenburg County to You, staff seeks to make strategic acquisitions and divestments of real property. 5200 Spector Drive was acquired through condemnation for a proposed expansion of Mecklenburg County Jail – North. Due to efforts by Mecklenburg County Criminal Justice Services and the Mecklenburg County Sheriff’s Office, this expansion is no longer deemed necessary.

The County was approached by an interested party (Epes Transportation System) who wished to relocate and expand their enterprise on this site. Staff has taken the necessary steps to declare the property surplus. This prospective sale must be publicly advertised and is subject to an upset bid of 10% over the amount offered. This action returns the parcel to the tax rolls and provides long-term stability to the prospective buyer’s operations.

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to initiate the upset bid sale of and execute all documents necessary for disposition of Tax Parcel 137-19-214 (+/- 11.9 acres) located at 5200 Spector Drive in the City of Charlotte for use by the private sector for no less than \$1,800,000 (subject to 10% upset bid provision).

CLOSED SESSION

16-3450 CONSULT WITH ATTORNEY
16-3461 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel 031-222-58 and Tax Parcel 157-04-107. It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:46 p.m. and came back into Open Session at 5:57 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

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-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Ridenhour and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3439 PROCLAMATION -- DESIGNATING WOMEN'S EQUALITY DAY IN 2016

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation declaring August 26, 2016 as Women's Equality Day in Mecklenburg County.

Note: August 26, 2016 is the 96th anniversary of U.S. women winning the right to vote. The Women's Advisory Board, together with the League of Women Voters, will celebrate the event on Thursday, August 25, 2016, 5:30 p.m. at the Levine Museum of the New South.

The proclamation was read by Commissioner Leake and received by Linda Webb, Chairperson, Women's Advisory Board and a representative from the League of Women Voters.

PROCLAMATION City of Charlotte/Mecklenburg County

WHEREAS, August 26, 2016, marks the 96th anniversary of women in the United States gaining the right to vote with the ratification of the 19th Amendment to the Constitution; and

WHEREAS, the call for women's right to vote was voiced at the first Women's Rights Convention in 1848 and the solidification of this right into law was the result of decades of work by committed suffragists who fought for this right; and

WHEREAS, even before they gained the right to vote, America's women were leaders of movements, academics, and reformers, and had even served in the Congress. Legions of brave women wrote and lectured for change. They let their feet speak when their voices alone were not enough, protesting and marching for their fundamental right to vote in the face of heckling, jail, and abuse. Their efforts led to enormous progress, millions upon millions of women have since used the power of the ballot to help shape our country; and

WHEREAS, at a time when women were meant to be seen and not heard, the suffragists braved censure and disgrace by speaking out on behalf of all women and organized for their rights. Remarkable women arose in each state and became part of history themselves when they successfully secured civil rights and political independence for American women; and

WHEREAS, to these committed and determined women, voting was not the end of the journey for equality, but the beginning of a new era in the advancement of our Union. These brave and tenacious women challenged our nation to live up to its founding principles, and their legacy inspires us to reach ever higher in our pursuit of liberty and equality for all; and

WHEREAS, the Mecklenburg County Women's Advisory Board and the League of Women Voters have identified The Power of the Woman's Vote in 2016 as the theme for the 2016 Women's Equality Day Program and Event to enhance the lives of the women of Charlotte and Mecklenburg County; and

WHEREAS, this year's event will be held at the Levine Museum of the New South at 5:30-8:00 P.M. on Thursday, August 25, 2016 and the public are invited and encouraged to participate in this free celebration.

NOW, THEREFORE, WE, Jennifer W. Roberts, Mayor of Charlotte, and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, August 26, 2016 as

"WOMEN'S EQUALITY DAY"

in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.


Jennifer W. Roberts, Mayor
City of Charlotte




Trevor M. Fuller, Chairman
Mecklenburg Board of
County Commissioners



16-3446 PROCLAMATION -- CHILD SUPPORT AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation declaring August 2016 as Child Support Awareness Month in Mecklenburg County.

The proclamation was read by Chairman Fuller.



PUBLIC APPEARANCE

16-3448 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Annette Albright addressed student assaults against Charlotte-Mecklenburg Schools (CMS) personnel. Ms. Albright, a former CMS employee, said on June 1, 2016 she was attacked by students. Ms. Albright asked the Board, as a funder of CMS, to "demand" that the Charlotte-Mecklenburg Board of Education and the Superintendent of Schools provide a safe working environment for its personnel.

A copy of Ms. Albright's remarks is on file with the Clerk to the Board.

APPOINTMENTS

16-3434 APPOINTMENTS

AIR QUALITY COMMISSION

The vote was taken on the following nominees for appointment consideration to the Air Quality Commission:

Scientist Category

Brian Magi

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Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Brian Magi to the Air Quality Commission to fill an unexpired term expiring August 31, 2018 as the Scientist representative.

Note: He replaced Cindy DeForest Hauser who resigned.

Environmental Category

Brian Adair Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett,
Ridenhour and Scarborough
Voting Ceased

Brian Kasher

Chairman Fuller announced the appointment of Brian Adair to the Air Quality Commission for a three-year term expiring August 31, 2019 as the Environmental representative.

Note: He replaced June Blotnick, who declined reappointment consideration.

General Public Category

Daryl Curtis Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, and
Ridenhour
Voting Ceased

Brian Miller
Brian Kasher

Chairman Fuller announced the appointment of Daryl Curtis to the Air Quality Commission to fill an unexpired term, expiring August 31, 2018 as a General Public representative.

Note: He replaced Lauren Billheirmer, who resigned.

ALCOHOLIC BEVERAGE CONTROL BOARD

Commissioner Dunlap, chair of the Board’s ad hoc appointment committee for the appointments to the Planning Commission, presented the Committee’s recommendation for the appointment of Ken Carrick and Carl Daniel. The other committee members were Commissioners Leake and Scarborough.

A copy of the recommendation is on file with the Clerk to the Board.

The vote was taken on the following nominees for appointment consideration to the Alcoholic Beverage Control Board:

Kenneth “Ken” Carrick	Commissioners Clarke, Dunlap, Fuller, James, Puckett, and Ridenhour
Carl Daniel	Commissioners Clarke, Dunlap, James, Leake, Puckett, and Scarborough
Jerry Neal	None
Howard Phillips	Commissioner Ridenhour
Lee Ratliff	Commissioners Fuller and Scarborough

Note: John Ham was nominated at the May 17, 2016 meeting, along with the other nominees, but was also nominated and subsequently appointed to the Planning Commission.

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Chairman Fuller announced the appointment of Kenneth “Ken” Carrick and Carl Daniel to the Alcoholic Beverage Control Board for a three-year term expiring June 30, 2019.

Note: They replaced David Conway and Cleveland Edwards who had served since 2010.

ABC Board Chairman

The vote was taken on all members of the Alcoholic Beverage Control Board for appointment consideration to serve as chairman of the Alcoholic Beverage Control Board.

Round One

Earl Leake	Commissioners Clarke, Dunlap, Fuller, and Scarborough
Lloyd Scher	Commissioner Leake
Jennifer Stanton	Commissioners Puckett and Ridenhour
Kenneth Carrick	None
Carl Daniel	Commissioner James

Round Two

Earl Leake	Commissioners Clarke, Dunlap, Fuller, James, Puckett, and Scarborough
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Voting Ceased

Lloyd Scher
Jennifer Stanton
Kenneth Carrick
Carl Daniel

Chairman Fuller announced the appointment of Earl Leake as chairman of the Alcoholic Beverage Control Board for the duration of his term.

BUILDING DEVELOPMENT COMMISSION

The vote was taken on the following nominees for appointment consideration to the Building Development Commission:

Jaye Alexander, II	None
Scott Browder	None
Walter Kirkland	Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough

Chairman Fuller announced the appointment of Walter Kirkland to the Building Development Commission for a three-year term expiring July 31, 2019 as a General Public representative.

Note: He replaced Wanda Towler, who declined reappointment consideration.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment consideration to the Park and Recreation Commission:

Tonya Phifer	Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett,
--------------	--

Ridenhour and Scarborough
Voting Ceased

Marc Seelinger

Chairman Fuller announced the appointment of Tonya Phifer to the Park and Recreation Commission to fill an expired term, expiring June 30, 2017, South Region 3 representative.

Note: She replaced Peter Engels, who moved out of South Region 3.

PLANNING COMMISSION

Commissioner Ridenhour, chair of the Board’s ad hoc appointment committee for appointments to the Charlotte-Mecklenburg Planning Commission presented the Committee’s recommendation for the appointment of John Ham. The other committee members were Commissioners Leake and Scarborough.

A copy of the Committee’s recommendation is on file with the Clerk to the Board.

The vote was taken on the following nominees for appointment consideration to the Charlotte-Mecklenburg Planning Commission:

Christopher Brown	None
John Ham	Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough

Chairman Fuller announced the appointment of John Ham to the Charlotte-Mecklenburg Planning Commission for a three-year term expiring June 30, 2019.

Note: He replaced Emma Allen, who had served two full terms.

16-3465 NOMINATIONS/APPOINTMENTS

COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Kwesi Nichols to the Charlotte-Mecklenburg Community Relations Committee for a three-year term expiring September 30, 2019.

16-3473 TOWN OF MINT HILL PLANNING BOARD

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Thomas Gatz to the Mint Hill Planning Board as an Extraterritorial Jurisdiction Member (ETJ) as recommended by the Town of Mint Hill Board of Commissioners for a two-year term expiring June 30, 2018.

Note: By order of G.S. 160A-362, the Board of County Commissioners shall appoint a Town Planning Board extraterritorial jurisdiction representative. The Mint Hill Board of Commissioners voted unanimously on July 21, 2016 to request that Thomas Gatz be reappointed to the Mint Hill Planning Board as an Extraterritorial Jurisdiction (ETJ) representative, for a term expiring June 30, 2018.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3472 ABOVE & BEYOND @ WORK AWARD PRESENTATION

The Board recognized Above & Beyond @ Work Award winner, Patricia Howie, a Fiscal Analyst (Payroll Manager) with the Finance Department.

Ms. Howie thanked the County Manager and the Board for the recognition.

Note: The County manager created the Above & Beyond @ Work Award to honor those who go the extra mile.

16-3445 UPDATE ON BROOKLYN VILLAGE: COMMUNITY ENGAGEMENT

The Board received and accepted information related to the Community Engagement framework proposed by BK Partners for the Brooklyn Village Redevelopment project.

Dennis LaCaria, Senior Assistant to the County Manager, presented the matter to the Board. He introduced BK Partners, Monte Ritchey, President of Conformity Corporation and Don Peebles, Chairman and CEO of The Peebles Corporation.

The presentation addressed the following:

- Brooklyn Village Today and Tomorrow
- Overview of BK Partners
- Community Engagement Strategy
- Next Steps

A copy of the presentation is on file with the Clerk to the Board.

Comments

Chairman Fuller addressed the importance of citizen input and engagement. He said a balance would be needed as it related to the amount of open space that would be available.

Commissioner Scarborough asked that former residents of Brooklyn Village be intentionally included in the development process. She said that engagement should occur at the start of the process.

Commissioner Leake addressed how the faith community and education were vital components of the original Brooklyn community. She acknowledged that the past couldn't be replicated, but asked that the spirit of the old Brooklyn Village be remembered in the process. She, too, asked that former residents of Brooklyn Village be involved at the beginning of the process.

Commissioner Dunlap said he was supportive of the process as outlined. He, too, noted the importance of citizen engagement on the front end. He highlighted the 35% Minority Participation rate noted in the presentation and commended the developers for it.

Commissioner Dunlap said he would be monitoring that rate very closely.

Commissioner Ridenhour addressed the importance of green space.

Commissioner Puckett addressed the importance of green space, not only as it related to the Brooklyn Village project, but the need for green space county-wide.

Commissioner Scarborough referenced the churches noted in the presentation. She asked that other churches be engaged as well in the process, especially those that were a part of Brooklyn Village years ago, such as Friendship Missionary Baptist Church, Little Rock AME Zion Church, and Ebenezer Baptist Church.

This concluded the discussion. The above was not inclusive of every comment but was a summary.

16-3474 WHITEWATER CENTER AMEBIC INFECTION UPDATE

The Board received an update on the U. S. Whitewater Center amebic incident from Dr. Marcus Plescia, Director, Mecklenburg County Health Department. He was joined at the podium by Lisa Corbitt with the Health Department and Rusty Rozzelle with LUESA.

Note: Mecklenburg County and North Carolina state health officials received notification on June 22, 2016 from the federal Centers for Disease Control and Prevention (CDC) that the June 19, 2016 death of an Ohio resident who recently visited the U.S. National Whitewater Center (USNWC) was suspected to be from an ameba that is naturally present in warm lakes during the summer. The suspected cause of death was attributed to Primary Amebic Meningoencephalitis, an infection caused by Naegleria fowleri, a one-celled organism that does not cause illness if swallowed, but can be fatal if forced up the nose. The U.S. National Whitewater Center remains open for all activities except the whitewater channel, which was closed voluntarily on June 24, 2016. Discussions with the CDC, USNWC, county and state health officials have continued about next steps. The Board received a prior update at the July 6, 2016 Regular meeting.

The following was noted:

- The remaining water in the whitewater rafting component of the Center has been drained.
- A thorough cleaning of the area would now take place.
- The Whitewater Center was looking at ways to upgrade the sanitation and water treatment system, as well as, ways to monitor the facility going forward.
- The ameba was a naturally occurring organism commonly found in natural environments, which was one of the challenges in addressing this issue.
- The organism was prevalent in lakes and rivers.
- There were three things that put the Whitewater Center at-risk:
 - The amount of sediment (biomass) that existed in the pond components, even in the raceways, where outward algae was present. The organism lives in the sediment. Thus, if you get rid of the biomass, you get rid of the organism.
 - The water in the rafting component was very turbulent and had a lot “stuff” suspended in it, probably because of the biomass. The sanitation system was an ultra violet system, effective in killing micro-organisms, but because the water was so turbulent and thick, the ultra violet rays weren’t penetrating deep enough into the water.

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- The fact that the water in the rafting component of the Center was warm, which probably can't be mitigated.
- The Whitewater Center brought in several consultants to help look at this issue.
- The plan was to create an environment at the Whitewater Center where this organism cannot live.
- It appeared now that the best thing to do was to chlorinate the system by adding chlorine to the water. The Whitewater Center in Oklahoma uses chlorine in its water.
- The needed chlorine level had not been determined yet.
- The Whitewater Center would also do something to vacuum the sediment.
- Once everything was thoroughly clean, including the filtration system, the Whitewater Center would then be ready to refill the system. It's believed, using predominantly city water and at that point, they would build a new chlorination system.
- Once the chlorination system was in place and the system was refilled, this component of the Center would reopen.
- When the component reopened, the intent was that the Whitewater Center would monitor the system, along with Health Department staff.
- Health Department staff would monitor on a regular basis to make sure the system was operating at or above whatever standards were set.
- The basin would be monitored as well, to make sure sediment wasn't building up.
- The Department felt once the new system was in place, that it would make sense to formalize an agreement between the Whitewater Center and the County.
- Currently there's an informal agreement to have the Health Department monitor the system, but no specific timeframe had been determined.
- The Board would have to approve any type of formal agreement, which could possibly be done through the County's lease agreement and/or through a Health Rule as the Board of Health.

County Manager Diorio said the forthcoming recommendation would ask the Board to formalize the rules for monitoring. Prior to bringing anything to the Board, however, staff wanted to make sure the Whitewater Center's monitoring system was effective and that the County had the capability of monitoring it and that the Whitewater Center could achieve the levels set.

County Manager Diorio said the Whitewater Center would be allowed to reopen before rules were adopted, so that everything could be tested to make sure it worked. Once that determination was made, staff would then come to the Board with a recommendation for adopting a rule with respect to monitoring the system.

Comments

Chairman Fuller asked was there a natural predator for this ameba. *The response was not to staff's knowledge.*

Chairman Fuller asked about the chlorination process, which was addressed.

Commissioner Leake asked from what perspective was the County inserting itself into this matter, since it was originally said the County, nor the State had any regulations over the Whitewater Center. *Dr. Plescia said that was correct, there were no regulations currently.*

Commissioner Leake noted that the owner of the Whitewater Center was invited to attend the July and August Board meeting, but had yet to come before the Board.

Dr. Plescia said Whitewater Center officials had agreed that the County could monitor their system, once it reopened.

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Commissioner Leake questioned the Board's knowledge of this agreement, prior to tonight's meeting.

Commissioner Leake asked how much it was costing the County, per staff's involvement in this matter. *Dr. Plescia said at this point, this was a proposal, but that the cost to do inspections would be looked at.*

County Manager Diorio said up to this point, the County, State, and Center for Disease Control (CDC) had been working collaboratively to figure out what needed to be done at the Whitewater Center.

County Manager Diorio said on a going forward basis, all three entities felt some type of regulatory structure around the Whitewater Center and this type of facility was needed.

County Manager Diorio said the Board had two choices with respect to regulatory authority, to either let the State craft regulations or do it locally.

County Manager Diorio said the preference of Mecklenburg County had always been "we should manage our own affairs." Thus, staff's recommendation would be that the Board, as the Board of Health, adopt regulations.

County Manager Diorio said the Board had been kept abreast of this issue along the way, via email and staff updates at Board meetings.

Commissioner Ridenhour said he, too, thought there was no provision or law allowing the County to regulate the Whitewater Center. He noted, however, that this was the right path to take.

Commissioner Ridenhour asked was anyone present from the Whitewater Center. *The response was no.* Commissioner Ridenhour expressed disappointment that no one was present, nor at the Board's July meeting when this matter was discussed.

Commissioner Ridenhour asked about the timeline for completion of these matters. *Dr. Plescia said he believed it would be four-six weeks, perhaps. He said the Whitewater Center was working hard to get everything done, so that this component of the Center could reopen.*

Commissioner Puckett noted for public awareness that the County owned the land the Whitewater Center was on and that it was being leased from the County by the Whitewater Center. He said the Whitewater Center was not a County facility. He said the County had no obligation to tell the Whitewater Center how to operate its business.

Commissioner Puckett said he appreciated the Whitewater Center's engagement of the Health Department. He said businesses should do that if they had a health related issue.

Commissioner Puckett said he was glad the Health Department was involved. He said a fee structure for monitoring the Whitewater Center would be needed.

Commissioner Dunlap expressed support for the path staff was on.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake, to accept the Health Director's recommendations for moving forward.

Commissioner James said the County was not "legally" responsible for "fixing" this problem, but as the Board of Commissioners and as the Board of Health, the County was "stepping up".

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Commissioner James said he'd received a question from N.C. Senator Joel Ford, asking whether the County was getting ahead of the State with respect to this matter.

Commissioner James asked for clarification with respect to the statement made by staff that it was going to "allow" the Whitewater Center to reopen this component and then test the water.

Commissioner James questioned whether the County had the legal right to "not allow" the Whitewater Center to reopen this component.

Dr. Plescia said the County had no authority over the Whitewater Center.

County Attorney Bethune said there were no state or federal regulations that could be enforced.

County Attorney Bethune said he believed Dr. Plescia was saying that after the Whitewater Center, with their experts, came up with a system that would keep the water sanitary, the Health Department would then develop regulations that would basically require the Whitewater Center to keep that system in proper regulating order and provide lab results for monitoring purposes, to make sure the Center was doing what was required.

County Attorney Bethune said you can't develop a regulation until there was a system in place.

Commissioner James said since the Whitewater Center would be developing its own system, which the County had no jurisdiction over that development, how would the County know if the system put in place actually worked.

Dr. Plescia said the County had staff with expertise in water treatment. He said the Whitewater Center's initial plan was sent to the State Public Health Department for review and feedback.

Commissioner James said he did not want people to have the perception that the County "allowed" the Whitewater Center to reopen this component and then the system didn't work as planned.

Commissioner James asked about the CDC's involvement at this point.

Dr. Plescia said early on there was a conference call with the CDC, who brought in other experts to walk through what a system may look like. He said the County would consult with them again.

Dr. Plescia said there were enough people involved in developing a system that the Whitewater Center would likely come up with a strong and sound system for treatment.

Commissioner James said he wanted the public to know specifically what was done to fix the system before it reopened, for example, if pipes were rerouted and if so how, the type of piping used, what equipment was removed and replaced, including model numbers, etc.

Commissioner James said he wanted more disclosure with respect to this matter and to the fact that the County was not "allowing" them to reopen, because the County had no governing authority over the Whitewater Center.

Dr. Plescia said it was his understanding the Whitewater Center was going to make its Plan public. Dr. Plescia said staff would provide the Board with a copy of the plan, once fully developed.

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Chairman Fuller said although there was a motion to accept the Health Director's recommendations for moving forward, that Dr. Plescia at this point was not presenting any recommendations.

Commissioners Dunlap and Leake, makers of the motion, amended the motion as noted below.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake, to receive the update regarding the Whitewater Center as information.

Commissioner Clarke said he believed staff was asking the Board to indicate its support of the track that staff was on with respect to the Whitewater Center issue, even though the Board had a lot of questions.

Commissioner Clarke said he felt it was the responsibility of the Whitewater Center to have a system in place that didn't put their customers at any risks of serious injury, harm, or death.

Commissioner Clarke said he was almost inclined to say, just leave it up to the Whitewater Center to fix the problem. Commissioner Clarke said he was concerned about the County adopting regulations with respect to monitoring the Whitewater Center and possibly putting the County in a vulnerable position.

Commissioner Clarke asked why the County couldn't just leave it to the Whitewater Center to fix the problem.

Dr. Plescia said that was an option for the Board. Dr. Plescia said he felt the County had a responsibility to deal with the Whitewater Center situation up to the draining of the water. He said now that the contaminated water had been drained and the potential health threat was no longer there, it was plausible to step back and to decide what the County's role should be going forward. Dr. Plescia said at this point, he was not able to make a recommendation with respect to that decision.

Commissioner Clarke said the County had an obligation to try and reduce the risks of serious injury, harm, or death to the public and that the County did that by regulating certain matters such as the preparation of food, swimming pools and other things. Commissioner Clarke said this was a unique situation, however.

County Manager Diorio said Dr. Plescia's presentation was for information purposes only. She said it was the first step in staff presenting to the Board, a future plan to regulate the Whitewater Center, locally.

County Manager Diorio said after the Board's last presentation regarding this matter, Health Department staff had conversations with the State Health Department, who indicated that either the County could promulgate a rule or they would.

County Manager Diorio said staff took the position and presented to the Board, that the County should handle this locally.

Commissioner Ridenhour asked if the General Assembly had to be in session in order to create regulations with respect to the Whitewater Center. Or, could the State Health Department create regulations on its own. *The response was that staff would have to find out.*

Commissioner Ridenhour said he felt the County needed to step in with respect to this matter.

Commissioner Ridenhour said when individuals go to the Whitewater Center or a facility of that nature, they expect some inherent risks based on the activity, however, they don't expect the facility to be unsafe. He said that trust in the facility had been broken and that people were

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looking for someone to act, to say “okay, we’re going to step in to make sure that some type of standard or regulation was set to ensure that the risks that were imposed by participating in activities at the Whitewater Center were simply limited to the inherent risks associated with the activity one was participating in.”

Commissioner Ridenhour said regulations were needed. He said as the “Board of Health,” the Board had the responsibility to make sure the water in this component of the Whitewater Center was safe.

Commissioner Puckett said what he understood Dr. Plescia to say was that staff was suggesting that the Whitewater Center develop a process that they thought would work; that the Health Department would work with them and confirm that the process was adequate; to let the process be tested to make sure it’s the correct process; and then the County would write the regulations.

Commissioner Puckett said the County could either work with the Whitewater Center to help determine what the process should be or not work with them and develop regulations in a “vacuum.” Commissioner Puckett said he felt the County and the Whitewater Center should engage in the development of a process.

Commissioner Puckett said staff was asking the Board to receive Dr. Plescia’s comments as information and allow the Health Department to continue to work with the Whitewater Center towards a system and a process that the Board would then codify at some point as being adequate.

Chairman Fuller said he was concerned about the fact that even though the County, the CDC, the State Health Department, and the Whitewater Center were working together currently, to be prepared that if one day that cooperative relationship took a turn. Chairman Fuller said when that disagreement occurred there needed to be some source of authority, whereby, an entity could say this was what must occur.

Chairman Fuller said it was his understanding leading up to this time, that the County had no authority with respect to the Whitewater Center, other than being party to a contract with the organization.

Chairman Fuller said his concern was that now something different was being said. He said there were implications that came with saying the County had such authority.

He questioned whether that authority existed prior to now, and if so, was it not exercised, and you had this situation to come about.

Chairman Fuller said he was fine if it was ultimately concluded that the County had the authority and the source of that authority was the Board as the “Board of Health;” and as such, there was the responsibility to make sure the public’s health was maintained.

Chairman Fuller said if the County imposed regulations, that it should be very clear what the source of the County’s authority was. He said the sense that he had was that it was far beyond being a party to a contract. He said the other implication was that once you adopt regulations you’re “in it and now responsible for it.”

Chairman Fuller asked staff to think all of these things through before next steps were taken.

Commissioner Dunlap said it would be “irresponsible” for the Board as the Board of Health “to do nothing.”

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Commissioner Puckett asked if the CDC had offered suggestions. *Dr. Plescia said one thing the CDC and the State Health Department suggested was that the County not test for the ameba. He said the Health Department did not have the capacity to perform the test; secondly, that it's very complicated. He said the CDC did the testing because of the "gravity" of the problem that was going on.*

Dr. Plescia said he doubted the CDC would come and test for the ameba on a regular basis.

Dr. Plescia said moving forward, staff would want to do things that would create an environment that would make it impossible for this ameba to be present.

Dr. Plescia said to put testing for the ameba on the table was not really practical.

Commissioner Clarke asked was it correct the State Health Department informed the County that if the County did not act by adopting some type of regulatory rule, then the State would.

County Manager Diorio said it was not communicated by the State in a threatening way, but the County was informed there were two choices, either the County could adopt something locally or the State would adopt something. She said the decision was being left up to the County.

Dr. Plescia noted that the State proposed legislation prior to adjourning, but it was pulled back. He said that was probably a good thing, because it was not known at that time, how to deal with this matter.

Commissioner James asked staff to make sure going forward that whatever was done, that the CDC, the State Health Department and everyone involved signed off on it.

Commissioner James said he didn't want the County, as an outlier, responsible for this.

Commissioner James said he didn't completely understand how last month it was said the County was waiting on the General Assembly to develop legislation and this month the County was talking about developing a policy or rule and the legality of that.

Commissioner James said he would be more "comfortable" if he had some sort of legal basis for understanding why the State was making the case they're making.

Commissioner James said he understood the public health perspective, but that there had to have been something specific that they came up with.

Commissioner Puckett noted when it was said the County didn't have the "authority," he didn't take that to mean the County did not have the "authority" to enact a regulation. He said the County just didn't have the authority to charge the Whitewater Center with anything because there was no regulation in place. He said that was why the prior response was "there was nothing the County could do."

Commissioner Puckett said it wasn't stated, to his knowledge, that the County didn't have the "right" to establish a regulation.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to receive the update regarding the Whitewater Center as information.

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Commissioner Scarborough asked that a timeframe for further action be provided, so that Board members would be able to respond to inquiries from constituents.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3444 FEATURE DEPARTMENT PRESENTATION: CHILD SUPPORT ENFORCEMENT

The Board received as information a report from Mecklenburg County's Child Support Enforcement Department.

Joan Kennedy, Director of Child Support Enforcement gave the report.

A copy of the report is on file with the Clerk to the Board.

Board members thanked Director Kennedy for her report and the work that she and her staff did.

Commissioner Scarborough asked how mental health needs of parents, if needed, were addressed. *Director Kennedy said mental health was an area that the department had not launched a collaboration with yet. She said that was a "service hole" that needed to be filled.*

Director Kennedy said there was staff on board with mental health services background and with networks that they could and did access. Director Kennedy said the department was optimistic it would eventually be able to launch some type of collaboration with available mental health services. She said, in the interim, referrals were being made, when necessary.

This concluded the presentation.

Point of personal privilege

Chairman Fuller noted the National Association of County Commissioners (NACo) annual conference in Long Beach, California, July 22 -25. He informed the public that Commissioner Dunlap was appointed by the President of NACo to serve on the national Board of NACo Directors as an At-large member. He congratulated Commissioner Dunlap on his appointment.

Commissioner Dunlap thanked Chairman Fuller for the acknowledgment. He also thanked fellow Board members for their support. Commissioner Dunlap said he had no idea he was being considered for appointment. He said he looked forward to serving and representing Mecklenburg County.

Commissioner Leake congratulated Commissioner Dunlap as well and asked that a report be provided to the Board regarding what took place at the conference.

STAFF REPORTS & REQUESTS

16-3452 2009D REFUNDING BONDS

RESOLUTION RELATING TO REFUNDING BONDS

Chairman Trevor M. Fuller introduced the following resolution, which was read by the above title:

WHEREAS, the Board of Commissioners for the County of Mecklenburg, North Carolina (the "County"), is considering authorizing the issuance of refunding bonds of the County in an aggregate principal

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amount not exceeding \$106,000,000 for the purpose of providing funds, with other available funds, for refunding certain outstanding general obligation bonds, including paying expenses related thereto, and it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (i) the issuance of such bonds is necessary or expedient in order to realize debt service and other savings and benefits for the County, (ii) the principal amount of such bonds is adequate and not excessive for the proposed purpose of such bonds because it is based upon the best estimate of the County of the funds needed for such purpose and takes into account other funds of the County available for such purpose, (iii) the County's debt management procedures and policies are good and are managed in strict compliance with law, (iv) no increase in taxes will be necessary to service such bonds because it is expected that debt service and other savings will be realized in connection with the issuance of such bonds and (v) such bonds can be marketed at reasonable rates of interest.

Section 2. The County Manager, the Director of Finance and the County Attorney of the County are each hereby authorized to take such actions as may be advisable in connection with authorizing the issuance of such bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board recommends the selection of the following professionals to be on the financing team for the bonds and that their services be utilized to the extent required and where appropriate:

Bond Counsel	Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina
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Financial Advisor	FirstSouthwest, a Division of Hilltop Securities Charlotte, North Carolina
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The Board hereby requests the Local Government Commission to approve such professionals as members of the financing team. The County will at a later date make recommendations for the selection of other parties required in connection with the issuance of the bonds.

Section 4. The Board hereby requests that the Local Government Commission of North Carolina sell the bonds at private sale without advertisement at prices and at interest rates determined by Local Government Commission, subject to the approval of the Director of Finance of the Board. The minimum purchase price shall be the statutory minimum set forth in G.S. 159-123(c), and the maximum interest cost shall be 8%.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Bill James, seconded by Commissioner Vilma D. Leake, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Bill James, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

Nays: None

* * *

RESOLUTION INTRODUCING REFUNDING BOND ORDER

Chairman Trevor M. Fuller introduced the following bond order, which was read by the above title.

* * *

BOND ORDER AUTHORIZING THE ISSUANCE OF \$106,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG

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WHEREAS, the County of Mecklenburg (the "County") has issued Variable Rate General Obligation Refunding Bonds, Series 2009D (the "2009D Bonds"), a certain portion of which remain outstanding (the "Outstanding 2009D Bonds"); and

WHEREAS, the Board of Commissioners of the County deems it advisable to refund the Outstanding 2009D Bonds (the "Bonds to be Refunded") pursuant to and in accordance with The Local Government Finance Act;

NOW, THEREFORE, BE IT ORDERED by the Board as follows:

Section 1. The County Board of Commissioners has ascertained and hereby determines that it is advisable to refund the Bonds to be Refunded.

Section 2. To raise all or a portion of the money required to refund the Bonds to be Refunded as set forth above and to pay expenses in connection therewith, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be \$106,000,000.

Section 3. Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

Section 5. The bond order shall take effect upon its adoption.

Upon motion of Commissioner Bill James, seconded by Commissioner Vilma D. Leake, the foregoing resolution to introduce the above bond order was adopted by the following vote:

Ayes: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Bill James, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

Nays: None

* * *

RESOLUTION AUTHORIZING PUBLIC HEARING ON BOND ORDER

Commissioner Bill James moved the adoption of the following resolution, the motion was seconded by Commissioner Vilma D. Leake, and the resolution was read by title:

WHEREAS, the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$106,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG" has been introduced at the meeting of the Board of Commissioners (the "Board") for the County of Mecklenburg (the "County") held on August 3, 2016, and the Board desires to provide for a public hearing thereon and the submission of a statement of debt and an estimate of interest on the proposed bonds as required by The Local Government Finance Act;

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

The public hearing upon that bond order shall be held at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at a meeting that begins at 6:00 P.M. on September 6, 2016.

The Clerk to the Board is hereby directed to cause a copy of the bond order to be published with a notice of the hearing in the form prescribed by law in a qualified newspaper no fewer than six days prior to the public hearing.

The County's Director of Finance is hereby directed to file with the Clerk to the Board prior to publication of the bond order with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the County and the net debt of the County.

The County's Director of Finance is hereby further directed to file with the Clerk to the Board at this meeting an estimate of the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued.

The motion to adopt the resolution was adopted by the following vote:

Ayes: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Bill James, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

Nays: None

Resolutions/Extracts recorded in full in Minute/Ordinance Book _____, Document # _____.

16-3458 DECLINE RIGHT OF FIRST REFUSAL -- CMS PROPERTY AT SEDGEFIELD MIDDLE SCHOOL

Jacqueline McNeil with Asset and Facility Management addressed the County's proposed decline of the County's statutory right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education (CMBE), to permit the sale of the property to Pulte Home Corporation, a Michigan Corporation. Peggy Hey with Charlotte-Mecklenburg Schools was present and addressed questions.

Note: By state statute, the County must decline its right of first refusal to any properties the Charlotte-Mecklenburg Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. Pulte Home Corporation, a Michigan Corporation, wants to acquire a portion of Tax Parcel #147-081-78 from Charlotte-Mecklenburg Schools for future residential purposes. The Board of Education determined that the property was not needed by the school district and declared it surplus on October 13, 2015. CMBE was offered a purchase price of \$3,850,000 by Pulte Home Corporation; however, other entities have expressed an interest in the property as well. CMS would comply with the procedures outlined in G.S. 160A-269 and offer the property through the upset bid process. Sedgefield Neighborhood Park was just west of the property to be disposed. There's an access trail located along the northern portion of the subject property, leading from McDonald Avenue to the neighborhood park. CMBE has agreed to work with County Park and Recreation and the potential buyer to ensure that access to the park was maintained. North Carolina General Statute (NCGS) 115C-518(a) requires local school boards of education to give local boards of county commissioners the first opportunity to acquire any school owned real estate proposed for disposal. To comply with this statute, CMS must offer the above school district owned property to the County prior to selling the property.

The following members of the public appeared to speak:

Alan Davidson, a resident of the Dilworth/Sedgefield area, asked the Board to defer or table making a decision on the matter. Mr. Davidson said neighborhood residents had not, in his opinion, been provided "adequate" notice by Charlotte-Mecklenburg Schools of the proposed sale of the property in question to a private developer. To his knowledge, CMS did not engage the neighborhood associations, residents, or the PTA, prior to making its decision. Mr. Davidson said development on this property, because of its location, raised security issues for Sedgefield Middle School and its student population. Mr. Davidson asked the Board to postpone a decision until residents of the area, the neighborhood associations, and the PTA had an opportunity for engagement with CMS with respect to the future development of the property.

Will Johns, acting president of the Sedgefield Neighborhood Association, expressed concern for continued access to Sedgefield Neighborhood Park. Mr. Johns said residents would like to see this area remain as open space. He said residents of the area wanted time to find out exactly what CMS' plans were. He asked that a decision on the matter be deferred.

Comments

Commissioner Clarke noted that the property in question was in his district and that it was not until it appeared on the Board's agenda that he was aware of CMS' plan. He said he was aware that CMS had a list of surplus property, but that this type of issue had come up before, whereby residents weren't informed timely.

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Commissioner Clarke suggested the Board defer taking action to allow Sedgefield and Dilworth residents an opportunity to engage CMS.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake, to defer taking action with respect to the County's consideration to decline the County's statutory right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education (CMBE), to permit the sale of the property to Pulte Home Corporation, a Michigan Corporation.

Chairman Fuller asked was it correct that until the Board made a decision with respect to declining its right of first refusal, that CMS could not sell the property. *County Attorney Bethune referenced the applicable statute. He said there was no timeframe regarding when the Board would need to respond to CMS. Further, that per his read of the statute, CMS could not sell the property prior to receiving a response from the County.*

County Attorney Bethune suggested, however, that the Board indicate a time certain, when the matter would come back for consideration, so that all concerned parties would know.

Commissioner Leake asked was the property in question originally owned by the County. *County Attorney Bethune said he did not know the history of the property.*

Commissioner Leake asked what was being planned for the property in question. *Ms. Hey said the proposed purchaser was considering placing townhomes on the property.*

Commissioner Leake addressed continued access to Sedgefield Neighborhood Park. *Ms. Hey said access would remain.*

Commissioner James said it was not the County's job to determine the destiny of the property. Commissioner James said he was not supportive of spending County dollars to rebuy the property in question.

Commissioner James questioned whether a deferral of the matter would impact CMS' contract with the proposed purchaser.

County Attorney Bethune said it was his understanding, CMS did not have a signed contract at this time. *Ms. Hey said a contract had been negotiated but not signed. She said CMS was awaiting the Board's decision.*

County Attorney Bethune asked Ms. Hey was it correct that the matter would also have to go through the upset bid process. *Ms. Hey said that was correct.*

Commissioner James said if it was going to negatively impact CMS by causing them to lose money, he was not supportive of a deferral. *Ms. Hey said CMS would hope that the proposed purchaser would remain interested.*

Commissioner Dunlap said he was going to support a deferral, because he wanted to hear more about the sale and the consequences of selling versus not selling.

Commissioner Scarborough amended her motion, which was seconded by Commissioner Leake, to defer taking action for 60 days with respect to the County's consideration to decline the County's statutory right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education (CMBE), to permit the sale of the property to Pulte Home Corporation, a Michigan Corporation.

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Substitute motion was made by Commissioner Ridenhour, seconded by Commissioner Leake, to defer taking action until the Board's September 6, 2016 meeting with respect to the County's consideration to decline the County's statutory right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education (CMBE,) to permit the sale of the property to Pulte Home Corporation, a Michigan Corporation.

Commissioner Puckett noted that per state law, CMS had a right to sell the property in question and the County had the right to purchase it or not purchase it.

Commissioner Puckett said he was not opposed to deferring the matter, but he wanted residents to understand that it was the Board of Education with whom they needed to engage. He said the County had no interest in buying the property and therefore had no authority as to how the property should be developed.

Commissioner Puckett said he didn't like the current law with respect to CMS's disposal of property, but it was the law. Commissioner Puckett said his preference was that CMS property would revert back to the County.

Commissioner Clarke asked had the Board of Education authorized the execution of the contract. *Ms. Hey said the Board of Education authorized the negotiation of a contract and moving forward with bringing the matter of First Right of Refusal to the Board of County Commissioners. Ms. Hey said staff had not been authorized to sign a contract.*

Ms. Hey noted that the property in question did not include any of the existing school building property or fields.

The vote was then taken on the substitute motion as noted below.

Substitute motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and carried 6-2 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour, and Scarborough voting yes and Commissioners James and Puckett, voting no, to defer taking action until the Board's September 6, 2016 meeting with respect to the County's consideration to decline the County's statutory right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education (CMBE), to permit the sale of the property to Pulte Home Corporation, a Michigan Corporation.

Note: The above was not inclusive of every comment but was a summary.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

16-3460 LAND CONVEYANCE, INTERLOCAL AGREEMENT & LEASE MODIFICATION – MECKLENBURG COUNTY, CENTRAL PIEDMONT COMMUNITY COLLEGE AND THE TOWN OF HUNTERSVILLE

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Authorize the County Manager to negotiate and execute all documents necessary for the conveyance of Tax Parcels 017-204-01, 017-204-04, 017-421-11, 017-204-02, and a portion of 017-421-10 (+/- 15.60 acres) to Central Piedmont Community College for the construction of a Public Safety Center, a Public Safety Training Village and a Commercial Driving License Parking Lot within the Town of Huntersville.

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2. Adopt a resolution titled "Resolution approving the Merancas Campus Expansion and Huntersville Recreation Center Interlocal Cooperation Agreement among Mecklenburg County, Central Piedmont Community College, and the Town of Huntersville"
3. Authorize the County Manager to negotiate and execute a Fourth Amended and Restated Lease Agreement between Mecklenburg County and the Town of Huntersville to remove Tax Parcels 017-421-11, 017-204-02, and a portion of Tax Parcel 017-421-10 from the lease for conveyance to Central Piedmont Community College.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS**

RESOLUTION APPROVING THE MERANCAS CAMPUS EXPANSION AND HUNTERSVILLE RECREATION CENTER INTERLOCAL COOPERATION AGREEMENT AMONG MECKLENBURG COUNTY, CENTRAL PIEDMONT COMMUNITY COLLEGE, AND THE TOWN OF HUNTERSVILLE AND THE CONVEYANCE OF +/- 15.60 ACRES OF PROPERTY ON THE NORTH AND SOUTH SIDES OF VERHOEFF DRIVE IN HUNTERSVILLE TO CENTRAL PIEDMONT COMMUNITY

WHEREAS, Mecklenburg County (County) owns Tax Parcels 017-204-01 and 017-204-04 on the north side of the intersection of Verhoeff Drive and Highway 21 that were the site of the former Gatling Juvenile Detention Center; and

WHEREAS, the County owns Tax Parcels 017-421-11 and 017-204-02 on the south side of the intersection of Verhoeff Drive and Highway 21 which have been leased to the Town of Huntersville (Town) for the site of a future recreation center to serve the residents of Huntersville; and

WHEREAS, the County owns Tax Parcel 017-421-10 which has been leased to the Town of Huntersville for use as the Huntersville Athletic Community Park; and

WHEREAS, Central Piedmont Community College (CPCC) has determined that the Mecklenburg County community has an immediate and long term need to close the skills gaps in high demand jobs areas such as law enforcement, fire, emergency medical services, and commercial driving, and CPCC is making efforts to expand its program offerings to address the demand for skilled professionals in these areas; and

WHEREAS, the County, CPCC and Town have mutually agreed to cooperate in the expansion of CPCC's Merancas Campus and construction of the Town's recreation center by entering into an Interlocal Cooperation Agreement, conveying certain parcels of County owned property to CPCC without compensation, and modifying the lease agreement between the County and the Town; and

WHEREAS, consistent with this agreement to cooperate in the expansion of the Merancas Campus, the County has agreed to convey to CPCC Tax Parcels 017-204-01 & 017-204-04 (the former Gatling Juvenile Detention Center) for construction of a Public Safety Center that will be used for classroom instruction, as well as County owned Tax Parcels 017-421-11, 017-204-02, and a portion of 017-421-10 for construction of a Public Safety Training Village and Commercial Driving License (CDL) parking lot. While these parcels are being deeded to CPCC without compensation to the County, the following restrictions will be placed in each deed:

- At the County's request, the properties shall revert back to the County if not under construction by July, 2030
- The properties shall revert back to the County if not used for its intended purpose
- CPCC may not convey the properties to any third-party entity for any reason without first obtaining the approval of the County
- At the County's request, CPCC agrees to pay for demolition and abatement of any facilities built on the properties by CPCC, if the property reverts back to the County for not being used as intended; and

WHEREAS, the Town originally planned to build its recreation center on County owned Tax Parcels 017-421-11 and 017-204-02 under its lease agreement with the County. However, since this property is now the proposed site of the Public Safety Training Village and CDL parking lot, the County and Town will now modify the lease agreement to remove the property from the lease, and the Town will construct the recreation center on the eastern portion of Tax Parcel 017-421-10 instead; and

WHEREAS, the County, CPCC, and the Town have agreed to enter into an Interlocal Cooperation Agreement and other Joint Use Agreements as it relates to the funding, construction, and use of the Public Safety Center, the Public Safety Training Village, the CDL parking lot, and the recreation center (See attached Exhibits A and B). Such agreements are as follows:

Public Safety Center (Parcels 017-204-01 & 017-204-04)

- The Public Safety Center will be built with future, undetermined bond funds. If not built by July 2030, the Town, County, and CPCC will renegotiate continued and future use of the property
- Joint use of the parking lot at the Public Safety Center by the Town for the Huntersville Aquatic Center will be established upon CPCC receiving funding for the project. If parking is needed by the Town, prior to the CPCC receiving funding, then the Town and CPCC will enter into a Joint Use Agreement establishing the conditions of parking on the property
- Other conditions (frequency, hours, etc.) of the Town's use of parking will be established in a Joint Use Agreement upon funding becoming available for the project

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- CPCC accepts the property from the County in its “as is” condition, and upon conveyance of the land to CPCC by the County, CPCC will become responsible for all improvements located on the property
- The County will not participate in the cost to remediate or demolish the former Gatling Juvenile Detention facility

Public Safety Training Village and CDL Parking Lot (Parcels 017-421-11, 017-204-02 & portion of 017-421-10)

- The CDL Parking Lot and associated laboratory space will be constructed by CPCC within twenty-four (24) months of transfer of the property from the County to CPCC and execution of the Interlocal Agreement
- The Town and CPCC will enter into a Joint Use Agreement that spells out the conditions by which the Town is allowed to use the parking lot being constructed by CPCC
- CPCC agrees that the County will not participate in the cost of construction for the Public Safety Village and CDL Parking lot and laboratory space beyond any funding that may be provided to CPCC through the County’s capital budgeting process
- Upon conveyance of the land to CPCC and approval by the State Board of Community Colleges, CPCC agrees to use State of North Carolina 2016 Bond funds for design and construction of the CDL Parking Lot and laboratory.

Town of Huntersville Recreation Center (eastern portion of Parcel 017-421-10)

- Instead of constructing its recreation center on County-owned parcels 017- 421-11 & 017-2 04-02, the Town will construct the recreation center on the eastern portion of parcel 017-421-10
- The Town agrees to solely fund construction of the recreation center
- The Town and CPCC will enter into a Joint Use Agreement that allows use of the recreation center by CPCC
- As part of its recreation center construction, the Town is constructing a driveway entrance onto parcel 017-421-10. The Town agrees to grant CPCC an access easement across the driveway which will allow CPCC to have access to a future parking lot (to be constructed by CPCC) on its adjacent parcel (017-421-07)

CPCC Merancas Campus Parking Lot (portion of Parcel 017-421-07)

- CPCC agrees to construct at least 100 additional parking spaces along the western boundary of the property within close proximity to the recreation center to be built by the Town
- CPCC agrees to solely fund the design and construction of the parking lot with a vehicular connection to the Town’s recreation center driveway
- The Town and CPCC will enter into a Joint Use Agreement that allows the Town to use the parking lot for activities that take place at the Huntersville Athletic Park and the new recreation center; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; **now, therefore, be it**

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute interlocal agreements among the County, CPCC, and the Town, as well as deeds and a lease amendment as necessary to accomplish the purposes stated above, consistent with the business terms outlined in the above.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Note: The above action with respect to Item 16-3460, was taken as well during Staff Briefing.

Commissioner Dunlap left the dais and was away until noted in the minutes.

CLOSED SESSION

**16-3461 LAND ACQUISITION - PROPERTY ACQUISITION – ADJACENT PROPERTY
TO THE EDWARD M. ROZZELL HOUSE AND FARM – HISTORIC
LANDMARKS COMMISSION**

Motion was made by Commissioner Scarborough, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Historic Landmarks Commission purchase of the land parcel 031-222-58 (+/-1.39 Acres) located at 11601 Old Rozzelles Ferry Road, Charlotte, NC for \$35,000 from The United States of America. (This property is adjacent to the Edward M. Rozzell House and Farm which is currently owned by the Historic Landmarks Commission.) Secondly, to recognize and appropriate \$35,000 for the purchase of the above property and up to a total of \$10,000 for appraisal, survey, title, attorney fees, recording and maintenance.

16-3461 LAND ACQUISITION – BILLINGSLEY CAMPUS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 157-04-107 (+/- 1.49 acres) located at 335 Billingsley Road in the City of Charlotte for the expansion of the Billingsley campus and in preparation for the ultimate disposition and redevelopment of the campus as part of Bringing Mecklenburg County to You for a purchase price of \$1,955,300 from Landgreen.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3433 BUDGET AMENDMENT -- AUCTION REVENUE (LUESA)

Recognize, receive and appropriate revenue of \$64,466.29 from the vehicle auction on April 16, 2016.

16-3440 LAND ACQUISITION -- STEWART CREEK STREAM STABILIZATION & GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of the tax parcels below in west Charlotte for the construction of Stewart Creek Stream Stabilization and future Greenway:

Tax Parcel #	Owner	Acreage (±)	Bid Amount
069-071-09	Lonnie Springs, Jr.	0.443	\$15,500
069-071-10	Anna Springs	0.874	\$21,000
069-071-01	Samuel & Mary McQuiller	0.39	\$8,400
069-113-09	Katie Elmore Hammond	0.426	\$10,000
069-113-08	John H Small, Jr.	0.210	\$7,300
069-113-06	Annie Lee	0.09	\$6,900
069-113-02	Lottie McConnell	0.14	\$7,100
069-077-08	Roy Autry	0.378	\$8,900
069-076-26	Maggie Booker	0.055	\$6,500
069-076-24	Johnnie Howze	0.083	\$6,500
069-076-21	Carrie Lue Black	0.051	\$6,500
069-076-20	DM Bost	0.054	\$6,500
069-076-19	EC Bost	0.052	\$6,500
069-076-18	Mattie McDowell	0.052	\$6,500
069-076-16	Lillie McCullough	0.052	\$6,500
069-082-06	Mary & Haskell Perry	0.22	\$6,600
069-082-07	Charles Mooar Belding	0.257	\$6,600
069-081-03	Luther Straite	0.149	\$6,500
069-081-05	Sadie Withers Torrence	0.161	\$6,200
069-071-24	BC Bonding Company	3.65	\$19,500
069-082-08		0.78	
069-113-04	Carolyn W Johnson	0.152	\$11,700
069-113-05		0.452	
069-113-07		0.099	
Totals		9.27	\$187,700

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Note: County Storm Water Services and Park and Recreation have partnered together to pursue acquisition of land in west Charlotte for purposes of conducting a stream stabilization project along Stewart Creek and eventually construction of a greenway trail along the path of the same creek. The project area for the stream stabilization starts on the south side of I-85 and ends at Tuckaseegee Road and is approximately 2.5 miles in length. The Stewart Creek Stream Stabilization Project aims to stabilize the banks along the creek to reduce sediment transport downstream. The \$3 million project is under design and is scheduled to begin construction in summer of 2017. The greenway trail is envisioned to start at State Street and is anticipated to run north connecting existing trail, with the exact project scope being determined at a future date. On June 8, 2016, the Board authorized staff to bid up to \$206,470 for the subject properties. The properties (±9.27 acres) were auctioned for back taxes on June 21, 2016. The County submitted a total initial bid of \$187,700 for all 24 properties, which was not upset.

16-3441 EASEMENT CONVEYANCE -- J&B DEVELOPMENT AND MANAGEMENT, INC.

Authorize the County Manager to negotiate and execute all documents necessary to grant a Temporary Construction Easement on County-owned Tax Parcel 173-071-59 to J&B Development and Management, Inc.

Note: The County accepted the donation of Tax Parcel 173-071-59 for Little Sugar Creek Greenway from the previous owner, Piston, LLC, in 2010, which was a requirement of its rezoning. The rezoning also required that the owner/developer construct the portion of the trail on the property being donated to the County, instead of the County being responsible for trail construction. Since the new owners inherited the obligations made through the rezoning process, the current owner/developer, J&B Development and Management, Inc., will need a temporary construction easement in order to gain access to the property and construct this portion of the Little Sugar Creek Greenway trail. The temporary construction easement will expire once the trail has been constructed and accepted by the County or 2 years from execution of the temporary construction easement, whichever occurs first. County staff is working with the developer to ensure that the trail meets current Park and Recreation standards for trail construction, and those standards are clearly outlined in the temporary construction easement documents. The developer will not be allowed to get its last Certificate of Occupancy until the trail is built and accepted by the County.

16-3443 DESTRUCTION OF FINANCE DOCUMENTS – LUESA

Approve the disposal of LUESA (Fiscal Control Support Services) records in accordance with the State of North Carolina Record Retention statutes.

The records to be destroyed in accordance with the State Records Retention and Disposition Schedule, established by the NC Department of Cultural Resources, Division of Archives and History are comprised of:

- Paid invoices with backup documentation for FY15, beginning July 1, 2014, and ending on July 17, 2015
- Copies of Purchase Orders issued with backup documentation for FY15, beginning July 1, 2014, and ending on July 17, 2015
- FY15 Travel Expense Reports with backup documentation for FY15, beginning July 1, 2014, and ending on July 17, 2015
- Cash Receipts with backup documentation for FY15, beginning July 1, 2014, and ending on July 17, 2015.

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Note: LUESA is required to store all files and fiscal records for established periods of time, during which time all records shall remain accessible to staff and auditors. Once the specific time period for each type of file has elapsed, these files are deactivated and must be destroyed as confidential waste in accordance with the instructions and schedule established by the State. At this time, all records currently scheduled for destruction have been identified and are scheduled to be removed and destroyed upon approval of the Board of County Commissioners.

16-3449 MINUTES

Approve Minutes of Regular meeting held July 6, 2016.

16-3451 ENGINEERING CONSULTANT SELECTION

Authorize the County Manager to negotiate fees and execute contracts with the number one ranked firms indicated below and in the event negotiations with any of these firms are unsuccessful, approve negotiations with the alternate firm - Geotechnical, Construction Materials Testing and Special Inspections for Morrison Library Renovation, Double Oaks Pool, MEDIC Relocation and Valerie C. Woodard Renovation.

Valerie C. Woodard Center Renovation

#1 ranked firm: Terracon Consultants, Inc.

Alternate: Summit Design and Engineering Services, PLLC

Morrison Library Renovation

#1 ranked firm: Froehling & Robertson, Inc.

Alternate: Nova Engineering and Environmental, LLC

MEDIC Relocation

#1 ranked firm: S&ME, Inc.

Alternate: Kleinfelder, Inc.

Double Oaks Pool

#1 ranked firm: ESP Associates, P.A.

Alternate: Shield Engineering, Inc.

Note: Mecklenburg County needs to select and hire engineering firms to provide special engineering services for four capital projects that are nearing the construction phase. Services will include, but not be limited to, geotechnical testing for building foundations, construction materials testing for concrete work, and special inspections for testing of structural connections.

16-3454 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$3,425 for Asset and Facility Management, \$2,874 for Sheriff's Office, \$817 for Land Use and Environmental Services and \$1,417 for the Health Department.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3456 BUDGET AMENDMENT – LUESA

Appropriate \$87,500 from the Charlotte ETJ Fire Protection Service District (FPSD) fund balance for FY 17 funding.

Note: During the FY 17 budget process, West Mecklenburg Volunteer Fire Department requested an increase in salaries to move to paid 24/7 coverage. In submitting the request for the budget, the hourly rate calculated from the submittal by West Mecklenburg VFD was not accurate. In order to provide 24/7 coverage of the revised hourly rate paid to the staff, an additional \$87,242 is required to meet estimates. This amount will be in addition to the FY 17 budget request of \$594,864, bringing the final contracted amount to \$682,106. The County's budget ordinance for the Charlotte District was adopted for \$3,569,446. The request to appropriate \$87,500 from the Charlotte District's fund balance would allow for a revised contract amount of \$682,106 with the West Mecklenburg VFD.

16-3457 TAX REFUNDS

1) Approve refunds in the amount of \$8,627.57 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$61,992.57 and interest as statutorily required to be paid as requested by the County Assessor Staff Contact: Debbie Shoff, County Assessor's Office.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$2,915.34.

A list of the taxpayer recipients is on file with the Clerk to the Board.

16-3459 TAX COLLECTOR'S ANNUAL SETTLEMENT FOR FISCAL YEAR 2016

Receive and accept the Tax Collector's Settlement for fiscal year 2016.

Note: The Tax Collector's Settlement is submitted to the Board of County Commissioners in accordance with North Carolina General Statute 105-373(3). The Settlement is to be entered into the records of the Board of County Commissioners as directed by statute.

AUGUST 3, 2016



MECKLENBURG COUNTY
Office of the Tax Collector

To: Board of County Commissioners
Dena Diorio, County Manager

From: Neal L. Dixon, Director/Tax Collector

Date: July 18, 2016

Subject: Tax Collector's Settlement for Fiscal Year 2016

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Mecklenburg County Board of Commissioners for Fiscal Year 2016 (tax year 2015).

Total FY 2016 Tax Charged to the Tax Collector for Collection: \$952,014,026.73.

Real Estate & Personal Property Tax

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$952,013,015.58	\$948,238,348.85	\$5,465,723.41	99.60%

Registered Motor Vehicle Tax

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$1,011.15	\$401.48	\$638.07	39.71%

Combined Total

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$952,014,026.73	\$948,238,750.33	\$5,466,361.48	99.60%

At the end of FY 2016 there were a total of 8 parcels with tax bills totaling \$36,214.89 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing collection for these tax bills. In addition, the Tax Collector was barred by the U.S. Bankruptcy Court from collecting 312 real estate, personal property, and registered motor vehicle tax bills totaling \$202,254.04. Since the above totals were barred from collection, it is important to note that when these totals are removed from the net levy calculation, the combined collection percentage increases to 99.63%.

PEOPLE•PRIDE•PROGRESS•PARTNERSHIPS

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Tax Collector's Settlement for Fiscal Year 2016
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Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

Prior Year Collections

During FY 2016, the Tax Collector pursued collection of delinquent prior year taxes.

Real Estate and Personal PropertyTax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2016</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2007	\$744,371,511.52	\$ 195,382.95	\$1,612,501.56	99.78%
2008	\$779,125,393.33	\$ 232,789.56	\$1,635,170.78	99.79%
2009	\$800,150,329.36	\$ 251,295.22	\$1,900,277.12	99.76%
2010	\$813,504,913.31	\$ 341,819.83	\$4,676,722.14	99.43%
2011	\$865,922,712.16	\$ 491,792.99	\$2,216,639.29	99.74%
2012	\$851,175,112.10	\$ 767,637.24	\$2,426,427.23	99.71%
2013	\$895,582,148.47	\$ 998,436.17	\$2,776,823.30	99.69%
2014	\$901,548,233.36	\$2,500,231.39	\$3,137,444.43	99.65%

Registered Motor VehicleTax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2016</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2012	\$61,454,691.99	\$137,328.46	\$1,415,076.68	97.70%
2013	\$36,892,255.62	\$193,976.28	\$1,053,704.55	97.14%
2014	\$ 363,881.01	\$ 12,458.84	\$ 27,750.14	92.37%

Please contact me at Neal.Dixon@MecklenburgCountyNC.gov or 980-314-4488 if you have any questions or comments regarding this settlement report.

North Carolina General Statute 105-373(3) requires that this settlement be submitted to the governing board. The settlement shall be entered into the minutes of the governing body.

Tax Collector

Date

Sworn to and subscribed before me this 18th day of July, 2016

Notary Public

My commission expires: September 2, 2019



CC: Julissa Fernández, Deputy Director, Office of the Tax Collector
Kimberly Deal, Deputy Director, Office of the Tax Collector

Settlement Statement recorded in full in Minute/Ordinance Book _____, Document # ____.

AUGUST 3, 2016

16-3462 SET PUBLIC HEARING -- REQUEST TO RENAME A SECTION OF URBAN LITTLE SUGAR CREEK GREENWAY

Receive an application submitted by the Central Piedmont Community College Foundation to rename a section of Little Sugar Creek Greenway located along the creek between East 7th Street and East 4th Street as Dr. Tony Zeiss Way; and schedule a public hearing for September 6, 2016 at 6:30 p.m. to receive public comment on the proposed naming of this section of Little Sugar Creek Greenway.

16-3466 LIGHTING SERVICE AGREEMENT -- LUESA SOLID WASTE -- NEW YARDWASTE AND RECYCLING FACILITY

Authorize the County Manager to execute a 3-year NC Service Agreement with Duke Energy for outdoor lighting at the new Mecklenburg County Yardwaste and Recycling facility.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3286 CAPITAL RESERVE EXPENDITURE -- MCDOWELL NATURE PRESERVE (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Authorize and appropriate an expenditure of up to \$30,000 from the McDowell Park Capital Reserve account to upgrade the electrical system and replace the sewer lift station at the McDowell Nature Center; and

2. Approve capital reserve funding in the amount of: \$29,900

- \$7,600 for the purchase of a new Toro Pro Force Debris Blower (pull behind)
- \$3,600 for the purchase of a Pilot Wood Frame 12 X 24 metal storage shed
- \$18,700 for the purchase of two new Carryall 550 utility vehicles.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Dunlap returned to the dais.

16-3442 DSS ENERGY PROGRAMS OUTREACH PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the DSS Energy Programs Outreach Plan for FY2017.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Energy Business Plan. The funding plan specifies the services that are provided with this grant such as: Crisis Intervention Program and Low Income Energy Assistance Program. These funds are included in the current fiscal year approved budget.

Commissioner Leake removed this item from Consent for more public awareness.

A copy of the Plan is on file with the Clerk to the Board.

16-3453 BUDGET AMENDMENT -- COMMUNITY SUPPORT SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes to:

1. Reduce Community Support Services (CSS) County budget unit 4800 by \$63,000 as those funds will be budgeted in the multi-year fund with the HUD Grant funds
2. Recognize, receive and appropriate \$73,500 for user fees that will be used in conjunction with HUD funding for the administration of the Homeless Management Information Systems
3. Recognize, receive and appropriate additional revenue in the amount of \$149,642 which will be received from Cardinal Innovations for CSS Shelter's Medicaid and State billing
4. Create an Administrative Support Assistant II position to support CSS Substance Use Positions at the Shelters - Position will be created using Medicaid or State funds received from Cardinal Innovations.

Commissioner Leake removed this item from Consent for more public awareness. Commissioner Leake requested notification when the positions were filled.

ADJOURNMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:22 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

SEPTEMBER 6, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, September 6, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, Bill James,
Vilma D. Leake, Jim Puckett, Matthew Ridenhour,
and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner George Dunlap

-INFORMAL SESSION-

Commissioner Ridenhour was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3471, 16-3475, 16-3478, 16-3480, 16-3492, 16-3497, and 16-3502 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS

16-3514 EARLY CHILDHOOD EDUCATION RFP

County Manager Diorio addressed the Early Childhood Education Request for Proposals (RFP).

Note: In March 2016, Dr. Vivian Correa from UNC Charlotte presented to the Board of County Commissioners evidenced-based research on the positive impacts of early childhood education on brain development and future success. Janet Singerman from Childcare Resources Inc., presented the current landscape of early childhood education in Mecklenburg County, including the number of children on the waiting list and the current capacity to serve these children. As work in this area continues, in July 2016, the County released a Request for Proposals (RFP) to engage a consultant to assist the County in developing a phased-in, comprehensive, high quality, early childhood education initiative to strengthen children's school readiness which would: 1) eliminate the County's waiting list for child care subsidy for all eligible children ages birth to five; 2) create universal access to public pre-kindergarten for all interested four year-olds; and 3) increase access to quality early learning opportunities for all children ages birth through three. Accomplishing this would require the County to further study: 1) disparities

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between children upon entry to kindergarten; 2) the strengths and weaknesses of available early childhood services; 3) the needs of families with young children; 4) gaps between available services and identified needs; 5) service priorities to address identified gaps; as well as to develop an implementation plan to achieve desired improvements; 6) an evaluation plan that would ensure the documentation of outputs and outcomes related to investment. The County received three responses to the RFP and the evaluation committee recommended contracting with the Early Learning Policy Group/Committee on Economic Development to complete portions of this work. The County is working with Foundation for the Carolinas to seek private funding for the work. Board of County Commissioner approval of moving forward with the RFP would assist in securing private funding.

A copy of the report is on file with the Clerk to the Board.

Commissioner Ridenhour entered the meeting.

Comments

Chairman Fuller spoke in support of moving forward with the process.

Commissioner James said he was not opposed to the idea that was being proposed. His concern was that monies were given to Charlotte-Mecklenburg Schools (CMS) for this type of purpose, (Bright Beginnings) and nothing was gained. He encouraged County Manager Diorio to take a look at the study that was done pertaining to Bright Beginnings.

Commissioner James said these types of programs were worthwhile, but the way it was done by CMS didn't work.

Commissioner James said in order to make the program work, you needed some sort of 24/7 school for children that came from "dysfunctional environments."

Commissioner James said CMS' Bright Beginnings program was also not income verifiable.

Commissioner James questioned how much CMS should be involved in this new process given their track record in this area. He said he was not supportive of using CMS' model and that perhaps something different was needed.

Commissioner Leake said early childhood education was something the community had "wrestled" with over the years.

Commissioner Leake said some children needed to be moved from their current environment in order for academic change to occur.

Commissioner Leake said she would not support this effort if placed in the hands of CMS based on their past results.

Commissioner Leake addressed fathers being in and/or out of a home. Commissioner Leake said changes were needed on the state and federal level to allow persons receiving assistance from the Department of Social Services to allow fathers to be in a home.

Commissioner Leake suggested using Barber Scotia College as a site for those children that were on the fringe of getting involved in negative behavior, 6th grade through 12th grade, providing a quality education and training for reading, writing, math, and behavior management.

Commissioner Clarke asked was there a plan for Board members to be involved with seeking a consultant. If so, he would be interested in participating.

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County Manager Diorio said the plan was to have an executive committee that would include elected officials and others. She welcomed Commissioner Clarke's willingness to serve.

Commissioner Scarborough asked was there information on places that had been successful in this type of endeavor. *County Manager Diorio said gathering that type of information, including best practices, would be a part of the process.*

Commissioner Puckett said this would be an opportunity to see what worked and what didn't.

Commissioner Puckett said it should be kept in mind that current funding allocated to CMS could be impacted by this. He said he would rather funding be allocated to a program that worked, which may or may not be a program ran by CMS.

Commissioner Cotham spoke in support of moving forward with the idea as outlined by the County Manager. She questioned the community's response to the County's taking the lead on this type of matter.

Commissioner Cotham suggested consideration be given to UNC-Charlotte participating, in light of their Early Childhood Education program.

County Manager Diorio said there would be a lot of community engagement.

Commissioner Ridenhour said he was not opposed to the idea, but had concerns about the program being used by some as a form of daycare. He also expressed concern for the costs to have such a program.

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to proceed with the Early Childhood Education Request for Proposals.

Note: Board of County Commissioner approval of moving forward with the RFP would assist in securing private funding.

The above is not inclusive of every comment but was a summary.

CLOSED SESSION –

16-3482 BUSINESS LOCATION AND EXPANSION
16-3487 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune announced there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 6:00 p.m. and came back into Open Session at 6:10 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

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Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Scarborough, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3431 ORDER OF THE HORNET INDUCTION - DR. TONY ZEISS

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to induct Dr. Tony Zeiss into the Order of the Hornet of Mecklenburg County.

Commissioners expressed thanks to Dr. Zeiss for his leadership and work in the community.

Dr. Zeiss thanked the Board for bestowing this honor upon him.

Note: The Order of the Hornet was established in 1972. It is bestowed by the Board of County Commissioners on persons who have displayed valor or high order of service uniquely and specifically to the citizens of Mecklenburg County. This is the highest honor bestowed by the Board. The Order of the Hornet was founded in the spirit of the early Mecklenburg patriots who signed the Mecklenburg Declaration of Independence on May 20, 1775, and proclaimed the County's freedom from Britain more than a year before the U.S. Declaration of Independence was signed. Those early patriots valiantly fought for their independence during the Revolution and gave Lord Cornwallis such difficulties during his occupation of Charlotte that he termed the town a "hornet's nest" of rebellion. Because Dr. Tony Zeiss reflects the honor, independence and fierce American patriotism that so stung Lord Cornwallis, he was being recommended for membership in the Order of the Hornet.

Dr. Zeiss holds a doctorate in community college administration from Nova University, a master's degree in speech (radio and television), and a bachelor's degree in speech education from Indiana State University. In 1992, Dr. Zeiss became the third president of Central Piedmont Community College, one of the largest community colleges in North Carolina, serving approximately 70,000 students per year. During his tenure, the college has grown from one campus to six campuses. The college is recognized nationally as a leader in Workforce Development. Dr. Zeiss has authored or co-authored several books on economic development, adult literacy, national workforce development and the Civil War. He's a valuable asset to Mecklenburg County.

PUBLIC APPEARANCE

16-3484 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Gwendolyn Forney addressed the NC Health Assessment Form required for kindergarteners and new students entering Charlotte-Mecklenburg Schools for the first time. Ms. Forney said the new requirement "punished" families. She said the Health Department had always offered the needed school entry physical, but not this year. Ms. Forney said the Health Department failed to communicate this change in the services provided to the public. Ms. Forney said the only way to find out was when you contact the Health Department requesting the service.

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Ms. Forney said Novant Health, via its Community Cruiser, also use to provide services needed for entry into school, but it also was no longer providing that service, which was free of charge.

Ms. Forney said parents were getting “punished” for not having a private physician and/or for not having the funds to cover the cost of the needed physical to enter public school. Ms. Forney said the cost could be as much as \$148.00 and was a lot of money for struggling families and the working poor. She said many providers weren’t even aware of the required form and as a result, subsequent visits had to be made.

Ms. Forney said those that knew about the new requirement had not communicated it to the general public, through perhaps the faith community, school partners, support agencies, and medical teams that offer school physicals.

Ms. Forney said around September 27, many students were scheduled to be “put out of school” for failing to have completed the required NC Health Assessment Form.

Chairman Fuller asked that someone from staff follow-up with Ms. Forney.

APPOINTMENTS

16-3509 NOMINATIONS/APPOINTMENTS

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Juan Bernal Vazquez, DeAngle Gadsden, and Melissa Peace to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 30, 2017.

Note: They replaced Delores Reid-Smith, Amber May, and Janet Lama, all of whom resigned.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and failed 7-1 with Commissioners Clarke, Cotham, Fuller, James, Puckett, Ridenhour and Scarborough voting yes and Commissioner Leake voting no, to nominate and appoint Peter Engels to the Park and Recreation Commission to represent Central Region 2.

Note: It takes a unanimous vote of all Commissioners present in order for someone to be nominated and appointed at the same meeting.

Commissioner James later nominated Peter Engels.

Commissioner Leake requested information on the Park and Recreation Commission’s charge.

Note: An appointment will occur at the September 20, 2016 meeting.

PUBLIC HEARINGS

16-3495 RENAMING REQUEST FOR A PORTION OF URBAN LITTLE SUGAR CREEK GREENWAY

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Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing on request to rename a portion of Urban Little Sugar Creek to "Dr. Tony Zeiss Way" on Little Sugar Creek Greenway from East 7th Street to East 4th Street.

The following persons appeared to speak in favor of the naming: Vickie Saville and Gary Ritter.

No one appeared to speak in opposition.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the renaming of a portion of Urban Little Sugar Creek to "Dr. Tony Zeiss Way" on Little Sugar Creek Greenway from East 7th Street to East 4th Street.

Note: The section of Little Sugar Creek Greenway from East 7th Street to East 4th Street is adjacent to the central campus of Central Piedmont Community College. Dr. Zeiss has been dedicated to serving the public well for decades. In addition to his presidency at Central Piedmont Community College, he enthusiastically chairs the Little Sugar Creek Advisory Council and the Trail of History; both organizations are directly related to this greenway. This naming request was publicly read and was recommended by the Mecklenburg County Park and Recreation Commission and the Greenway Advisory Council.

16-3498 AUTHORIZE AND PROVIDE FOR ISSUANCE OF REFUNDING AND PUBLIC IMPROVEMENT BONDS

Commissioner Ridenhour left the dais and was away until noted in the minutes.

REPORT FROM CLERK

The Clerk to the Board of Commissioners reported to the Board of Commissioners that the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$106,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG" which had been introduced on August 3, 2016, had been published in a qualified newspaper on or before August 31, 2016, with notice that the Board would hold a public hearing thereon on September 6, 2016. The Clerk also reported that the County's Director of Finance had filed in the Clerk's office a statement of debt complying with the provisions of The Local Government Bond Act and that such statement showed the net indebtedness of the County to be 1.13% of the assessed valuation of property in the County subject to taxation. Finally, the Clerk also reported that the County's Director of Finance had filed in the Clerk's office an estimate of the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued.

* * *

PUBLIC HEARING ON BOND ORDER

Commissioner Dumont Clarke moved that the Board proceed to hold a public hearing on the bond order. The motion was seconded by Commissioner Ella B. Scarborough and was adopted 7-0.

Commissioner Ridenhour returned to the dais.

At 7:09 P.M., the Chairman of the Board announced that the Board would hear anyone who

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wished to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds.

After the Board had heard all persons who requested to be heard, Commissioner Ella B. Scarborough moved that the public hearing be closed. The motion was seconded by Commissioner Vilma D. Leake and was unanimously adopted.

Note: No one appeared to speak.

* * *

ADOPTION OF BOND ORDER

Commissioner Ella B. Scarborough moved that the Board adopt without change and direct the Clerk to publish as prescribed by The Local Government Bond Act the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$106,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG" introduced at the meeting of the Board of Commissioners held on August 3, 2016. The motion was seconded by Commissioner Vilma D. Leake and was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia "Pat" Cotham,
Trevor M. Fuller, Bill James, Vilma D. Leake,
Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYES: None

RESOLUTION RELATING TO REFUNDING BONDS

Chairman Trevor M. Fuller introduced the following resolution, which was read by the above title:

WHEREAS, the Board of Commissioners for the County of Mecklenburg, North Carolina (the "County"), is considering authorizing the issuance of refunding bonds of the County in an aggregate principal amount not exceeding \$63,000,000 for the purpose of providing funds, with other available funds, for refunding certain outstanding general obligation bonds, including paying expenses related thereto, and it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (i) the issuance of such bonds is necessary or expedient in order to realize debt service and other savings and benefits for the County, (ii) the principal amount of such bonds is adequate and not excessive for the proposed purpose of such bonds because it is based upon the best estimate of the County of the funds needed for such purpose and takes into account other funds of the County available for such purpose, (iii) the County's debt management procedures and policies are good and are managed in strict compliance with law, (iv) no increase in taxes will be necessary to service such bonds because it is expected that debt service and other savings will be realized in connection with the issuance of such bonds and (v) such bonds can be marketed at reasonable rates of interest.

Section 2. The County Manager, the Director of Finance and the County Attorney of the County are each hereby authorized to take such actions as may be advisable in connection with

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authorizing the issuance of such bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board recommends the selection of the following professionals to be on the financing team for the bonds and that their services be utilized to the extent required and where appropriate:

Bond Counsel	Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina
Financial Advisor	FirstSouthwest, a Division of Hilltop Securities Charlotte, North Carolina
Underwriters	Wells Fargo Securities, Senior Managing Underwriter; Citigroup Global Markets Inc., Co- Senior Managing Underwriter

The Board hereby requests the Local Government Commission to approve such professionals as members of the financing team. The County will at a later date make recommendations for the selection of other parties required in connection with the issuance of the bonds.

Section 4. The Board hereby requests that the Local Government Commission of North Carolina sell the bonds at private sale without advertisement at prices and at interest rates determined by Local Government Commission, subject to the approval of the Director of Finance of the Board. The minimum purchase price shall be the statutory minimum set forth in G.S. 159-123(c), and the maximum interest cost shall be 8%.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Vilma D. Leake, seconded by Commissioner Ella B. Scarborough, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Dumont Clarke, Patricia “Pat” Cotham, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough.

Nays: None.

* * *

RESOLUTION INTRODUCING AND ADOPTING BOND ORDER AND TAKING RELATED ACTION

Commissioner Ella B. Scarborough moved adoption of a resolution to introduce and adopt the bond order and take related action, that motion was seconded by Commissioner Vilma D. Leake, and the resolution was read by the above title.

BOND ORDER AUTHORIZING THE ISSUANCE OF \$63,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG

WHEREAS, the Board of Commissioners (the “Board”) for the County of Mecklenburg (the “County”) deems it advisable to refund all or a portion of the County’s outstanding (a) General Obligation Public Improvement Bonds, Series 2009B and (b) General Obligation Refunding Bonds, Series 2009C (collectively referred to herein as the “Bonds to be Refunded”) pursuant to and in accordance with The Local Government Finance Act;

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NOW, THEREFORE, BE IT ORDERED by the Board as follows:

Section 1. The County Board of Commissioners has ascertained and hereby determines that it is advisable to refund the Bonds to be Refunded.

Section 2. To raise all or a portion of the money required to refund the Bonds to be Refunded as set forth above and to pay expenses in connection therewith, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be \$63,000,000.

Section 3. Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

Section 5. The bond order shall take effect upon its adoption.

The Clerk to the Board is hereby directed to publish as prescribed by The Local Government Bond Act the foregoing bond order.

The County's Director of Finance is hereby directed to file with the Clerk to the Board at this meeting, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the County and the net debt of the County.

The County's Director of Finance is hereby further directed to file with the Clerk to the Board at this meeting an estimate of the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued.

The motion to adopt the resolution and take related action was adopted by the following vote:

Ayes: Commissioners Dumont Clarke, Patricia "Pat" Cotham, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough.

Nays: None.

RESOLUTION AUTHORIZING ISSUANCE OF REFUNDING BONDS

Commissioner Ella B. Scarborough moved adoption of the following resolution, the motion was seconded by Commissioner Vilma D. Leake, and the resolution was read by the above title.

WHEREAS, the bond orders hereinafter described has taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

Section 1. Pursuant to and in accordance with the refunding bond orders adopted by the Board of Commissioners on September 6, 2016, the Issuer shall issue its bonds in the aggregate principal amount not to exceed \$169,000,000.

Section 2. The bonds to be issued pursuant to the bond orders described in the preceding paragraph shall be designated "General Obligation Refunding Bonds, Series 2016A" (the "Bonds"). The Bonds shall be dated the date of their delivery, and shall bear interest from their

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date at a rate or rates (which shall not result in an aggregate true interest cost in excess of 3%) that shall be determined upon the private sale of the Bonds, and interest shall be payable on March 1, 2017, and semi-annually thereafter on September 1 and March 1. The Bonds shall mature on March 1, 2017 and thereafter on September 1 in years and amounts as determined upon the private sale of the Bonds.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

The Bonds shall be deemed to refund each of the issues of bonds being refunded within the respective periods of usefulness of the capital projects financed by each of the issues of bonds being refunded.

Section 3. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on and principal of the Bonds will be payable at the times described above, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

Section 4. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina

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whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

Section 5. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- _

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION REFUNDING BOND, SERIES 2016A

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
	[March/September] 1, ____	October 12, 2016	584002

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the September 1 or March 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a September 1 or March 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on March 1, 2017, and semi-annually thereafter on September 1 or March 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 6, 2016 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") to provide funds, together with any other funds that may be provided, to refund all or a portion of the County's outstanding General Obligation Public Improvement Bonds, Series 2009B, General Obligation Refunding Bonds, Series 2009C and Variable Rate General Obligation Refunding Bonds, Series 2009D.

[Insert sinking fund redemption provisions if there are term bonds.]

[Include the following if the bonds are subject to optional redemption.]

[The bonds maturing on and after September 1, 20__, shall be subject to redemption prior to their stated maturities at the option of the County on or after September 1, 20__, in whole or in part at any time at a redemption price equal to ____% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.]

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Order or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated October 12, 2016.

(SEAL)

Chairman of the Board of Commissioners

Clerk to the Board of Commissioners

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CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Order and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

By: _____
Authorized Signature

Date of Authentication: October 12, 2016

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

the within Bond and irrevocably appoints _____
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the
premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

Section 6. If the Bonds are subject to optional redemption, those Bonds maturing on and after September 1 of a year to be determined at the private sale of the Bonds shall be subject to redemption prior to their stated maturities at the option of the County on or after September 1 of the preceding year in whole or in part at any time at a redemption price equal to a percentage of the principal amount of each Bond to be redeemed to be determined at the private sale of the Bonds, together with accrued interest thereon to the redemption date.

If less than all the Bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company (“DTC”) shall determine by

lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

Section 7. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and

bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond and interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 8. The Director of Finance is hereby authorized to determine and approve any details necessary in connection with the sale of the Bonds, including without limitation the principal amount of Bonds, interest rates (which shall not result in an aggregate true interest cost in excess of 3%), maturity years and amounts, and redemption provisions not included herein. Such details shall be reflected in the Bond certificates.

Section 9. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

Section 10. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on such Bonds for federal income tax purposes.

Section 11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

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Section 12. The Issuer hereby authorizes the officers of the Issuer designated therein to execute and deliver an Escrow Deposit Agreement, Bond Purchase Agreement and Official Statement relating to the Bonds in such forms as may be approved by them, their execution thereof constituting conclusive evidence of such approval. The Preliminary Official Statement and the Official Statement are hereby authorized for use in connection with the sale of the Bonds.

Section 13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;

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(12) bankruptcy, insolvency, receivership or similar event of the Issuer;

(13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

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AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough.

NAYS: None.

RESOLUTION AUTHORIZING ISSUANCE OF BONDS

Commissioner Vilma D. Leake moved adoption of the following resolution and the motion was seconded by Commissioner Ella B. Scarborough.

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the “Issuer”), as follows:

1. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2007, the Issuer shall issue its bonds in the aggregate principal amount of \$68,000,000. (The Issuer has secured an extension of the maximum period of time for issuing bonds under that bond order from seven to ten years from November 6, 2007 as provided for under Section 159-64 of the North Carolina General Statutes.) The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from October 18, 2016.
2. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of \$82,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from October 18, 2016.
3. Pursuant to and in accordance with the community college facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of \$50,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from October 18, 2016.
4. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1, 2 and 3 shall be issued as one consolidated bond issue in the principal amount of \$200,000,000 and designated “General Obligation Public Improvement Bonds, Series 2016B” (the “Bonds”). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1, 2 and 3 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated October 18, 2016, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on June 1, 2017, and semi-annually thereafter on December 1 and June 1. The Bonds shall mature annually on December 1, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2017	\$5,000,000	2026	\$10,000,000
2018	5,000,000	2027	12,000,000
2019	5,000,000	2028	12,000,000
2020	7,000,000	2029	12,000,000
2021	7,000,000	2030	12,000,000
2022	7,000,000	2031	15,000,000

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2023	7,000,000	2032	15,000,000
2024	7,000,000	2033	20,000,000
2025	7,000,000	2034	20,000,000
		2035	15,000,000

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

5. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York (“DTC”) or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on December 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC’s rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

6. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may

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bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

7. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- \$ _____

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2016B

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
	December 1, ____	October 18, 2016	584002

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the December 1 or June 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a December 1 or June 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on June 1, 2017, and semi-annually thereafter on December 1 and June 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 5, 2007 and September 3, 2013 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County, voting at elections held in the County.

The bonds maturing on and after December 1, 2027, shall be subject to redemption prior to their stated maturities at the option of the County on or after December 1, 2026, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected

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by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated October 18, 2016.

(SEAL)

Chairman of the Board of Commissioners

Clerk to the Board of Commissioners

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CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary,
Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

By: _____
Authorized Signature

Date of Authentication: October 18, 2016

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

the within Bond and irrevocably appoints _____
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the
premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with
the name as it appears upon the face of the within Bond in every
particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

8. The Bonds maturing on and after December 1, 2027 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after December 1, 2026, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are

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to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

9. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and

bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

10. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

12. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

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13. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

14. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;

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(12) bankruptcy, insolvency, receivership or similar event of the Issuer;

(13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

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AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough.

NAYS: None

Extracts/Resolutions recorded in full in Minutes/Ordinance Book _____, Documents # _____, _____, _____, and _____.

Note: Finance Director Wanda Reeves addressed the above bond orders, prior to the above votes.

Commissioner Leake requested that the total amount of funding that had been provided to Charlotte-Mecklenburg Schools for the purpose of educating children, including bonds, be made public for awareness purposes by the next Board meeting.

**16-3508 HEARING - BID WITHDRAWAL FOR GOVERNMENT DISTRICT MASTER PLAN
PHASE 1 - PUBLIC DEFENDER AND CRIMINAL JUSTICE SERVICES RELOCATIONS**

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to hold the hearing on KMD Construction, LLC’s request to withdraw their bid on the Government District Master Plan Phase 1- Public Defender and Criminal Justice Services Relocations.

County Attorney Bethune addressed the matter.

Note: On August 4, 2016, County Asset and Facility Management held a bid opening for the Government District Master Plan Phase 1- Public Defender and Criminal Justice Services Relocations. The apparent low bidder was KMD Construction, LLC (KMD), with a bid of \$4,428,000. Subsequently, KMD requested that their bid be withdrawn on August 5, 2016. The withdrawal of bids is covered by GS 143-129.1. The statute allows a bid to be withdrawn without forfeiture of the bid security if the low bidder can present credible evidence that a substantial error exists in the bid, and that it was clerical in nature as opposed to a judgment error, and that it was actually due to an unintentional omission of a substantial quantity of work. KMD provided evidence showing a subcontractor submitted a bid that omitted a substantial quantity of work. This resulted in KMD’s bid being submitted to the County substantially lower than the actual cost of the work. KMD’s bid was more than \$760,000 dollars below the next lowest bidder. KMD satisfactorily demonstrated the omission of a substantial quantity of work to Asset and Facility Management.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the hearing and adopt a resolution allowing KMD Construction, LLC to withdraw their bid without forfeiture of their bid security.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING KMD CONSTRUCTION, LLC
TO WITHDRAW BID
ON GOVERNMENT DISTRICT MASTER PLAN PHASE 1 – PUBLIC DEFENDER AND CRIMINAL
JUSTICE SERVICES RELOCATIONS**

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WHEREAS, Mecklenburg County's Asset and Facility Management requested bids for the Government District Master Plan Phase 1- Public Defender and Criminal Justice Services Relocations; and

WHEREAS, KMD Construction, LLC submitted the low bid, a bid which was more than \$760,000 lower than the next lowest bid; and

WHEREAS, KMD Construction, LLC after reviewing its bid proposal, determined that one of its bidding subcontractors had made an unintentional omission of a substantial portion of the work in the calculation of its bid amount; and

WHEREAS, as required by G.S. 143-129.1, within 72 hours after the opening of the bid, KMD Construction, LLC presented Mecklenburg County with a written request to withdraw its bid due to the unintentional omission; and

WHEREAS, employees of Mecklenburg County's Asset and Facility Management have reviewed the original work papers used in the preparation of the KMD Construction, LLC bid and have determined that such documents constitute credible evidence that the mistake was clerical in nature as opposed to a judgment error, and was actually due to an unintentional omission of a substantial portion of the work made directly in the compilation of the bid, which unintentional omission can be clearly shown by objective evidence drawn from inspection of the original work papers, and that the KMD Construction, LLC bid was submitted in good faith; and

WHEREAS, as required by G.S. 143-129.1, the Mecklenburg County Board of Commissioners held a hearing on September 6, 2016 on the request by KMD Construction, LLC that it be allowed to withdraw its bid for the Government District Master Plan Phase 1- Public Defender and Criminal Justice Services Relocations; and

WHEREAS, after considering information presented by employees of Mecklenburg County Asset and Facility Management, and such additional information as has been presented during the hearing held on September 6, 2016, the Mecklenburg County Board of Commissioners has determined that KMD Construction, LLC has fulfilled the requirements stated in G.S. 143-129.1 for withdrawal of a bid; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners has determined and does hereby hold that KMD Construction, LLC has presented credible evidence that meets the requirements stated in G.S. 143-129.1 for withdrawal of a bid in that its price bid was based upon a mistake which was clerical in nature as opposed to a judgment error, was actually due to an unintentional omission of a substantial portion of the work made directly in the compilation of the bid, which unintentional omission can be clearly shown by objective evidence drawn by inspection of the original work papers, which mistake constitutes a substantial error, and that the bid was submitted in good faith; and be it further

RESOLVED that KMD Construction, LLC is allowed to withdraw its bid without forfeiture of its bid security; and be it further

RESOLVED that the Clerk to the Board shall provide to KMD Construction, LLC within five (5) days of the date of this hearing, a copy of this Resolution, which Resolution shall constitute a written ruling allowing the request to withdraw a bid.

Resolution recorded in full in Minutes/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3496 INTRODUCTION OF THE LEGISLATIVE LIAISON

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County Manager Diorio recognized and acknowledged the hiring of the County's new Legislative Liaison, Jonathan Sink. He will serve as liaison to both the state and the federal government.

Chairman Fuller on behalf of the Board welcomed Mr. Sink.

16-3505 UPDATE ON BROOKLYN VILLAGE: CONTRACT NEGOTIATION

The Board received an update on the Brooklyn Village Project regarding the contract negotiation team, strategy and preliminary timeliness.

Dennis LaCaria, Senior Assistant to the County Manager introduced Robert Brinkley and Hunter Edwards with Womble Carlyle, Candace Damon and Olivia Moss with HR& A to address this matter with the Board.

Note: The Board of Commissioners selected BK Partners as its partner in redeveloping 17 Acres in Second Ward, formerly known as Brooklyn. The new development, Brooklyn Village, will be a multi-use, multi-phase project requiring careful negotiation and sophisticated contracting.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Chairman Fuller noted that this was a "significant" project for the County. He commented on the importance of making sure the teams working on the project reflected the diversity of what was trying to be accomplished.

Mr. Brinkley noted that Womble Carlyle had a very "robust" and active inclusion and diversity effort at their firm. Mr. Brinkley said he would provide the Board with additional information that spoke to Womble Carlyle's inclusion and diversity efforts.

Chairman Fuller asked about the sale of the property to BK Partners with respect to the type of sale, fee simple or something else. *Senior Assistant to the County Manager LaCaria said it would actually be a conveyance, but subject to certain things.*

16-3513 VOTER DATA SECURITY

The Board received a report on Voter Data Security from Board of Elections Director Michael Dickerson. He was assisted by Information Services and Technology Director Keith Gregg.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Leake asked under what circumstances voter identification would be required. *Director Dickerson explained that this would be applicable only for persons that arrived at the polls and for some reason their information didn't match up with what was on file. He said this requirement had been in place since 2002.*

Commissioners Leake and Scarborough noted the importance of the right to vote and encouraged citizens to do so.

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Commissioner Scarborough noted that on July 19, 1964 in Sumpter, S.C. she was jailed for the right to vote. Commissioner Scarborough said every vote counted.

Commissioner Clarke said he asked the County Manager to provide the Board with information regarding Voter Data Security, per recent polls taken that indicated there was a concern on the part of some registered voters, as to whether their vote would be counted properly.

Commissioner Clarke said it was important that people be reassured that their vote would be counted properly. He encouraged staff to be proactive in reassuring votes, including speaking with the media regarding this issue locally, although the concern was across the country.

Director Dickerson explained how the auditing process worked.

Commissioner Clarke said the auditing process was something that people needed to know as well.

Chairman Fuller thanked Directors Dickerson and Gregg for the report. He said it was important that people be made aware of and understand what the rules were with respecting voting, in light of confusion around what would be required.

Chairman Fuller said the right to vote was “the basis of our democracy.” He said the vote was “our voice.”

Chairman Fuller said it was important that the public continued to be reassured that not only did their vote count, but it’s counted and done so in a way that was “secure and reliable,” particularly residents of Mecklenburg County.

16-3531 CHARLOTTE HORNETS REQUEST TO RENOVATE THE LATTA PARK BASKETBALL COURT AREA

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a Right of Entry Agreement with the Charlotte Hornets for the renovation of the basketball court area located at Latta Park; and to accept with thanks the donation from the Charlotte Hornets.

Note: Charlotte Hornets are providing the funding and contractor for a Legacy Project at Latta Park. The basketball court would have a new sport court installed over the existing court, all four backboards will be replaced, new benches and trash receptacles will be installed, along with a new water fountain. All of the amenities and the basketball court would have the Charlotte Hornets logo. The Charlotte Hornets would also be announcing the renovations to two (2) additional outdoor court locations in our parks. Mecklenburg County Park and Recreation to receive the new improvements to Latta Park and the Charlotte Hornets would provide annual maintenance funding for the court and amenities.

Prior to the above vote, Park and Recreation Director Jim Garges and Ms. Bernie Washington, representing the Charlotte Hornets, addressed this matter with the Board.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

16-3500 DECLINE RIGHT OF FIRST REFUSAL - CMS PROPERTY AT SEDGEFIELD MIDDLE

SCHOOL

The Board considered the County's statutory decline right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education (CMBE) to permit the sale of the property to Pulte Home Corporation, a Michigan Corporation.

Note: By state statute, the County must decline its right of first refusal to any properties the Charlotte-Mecklenburg Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. Pulte Home Corporation, a Michigan Corporation, would like to acquire a portion of Tax Parcel #147-081-78 from Charlotte-Mecklenburg Schools (CMS) for future residential purposes. The Board of Education determined that the property was not needed by the school district, and declared it surplus on October 13, 2015. CMBE has been offered a purchase price of \$3,850,000 by Pulte Home Corporation. However, other entities have expressed an interest in the property as well. CMS will comply with the procedures outlined in G.S. 160A-269, and offer the property through the upset bid process. Sedgefield Neighborhood Park is just west of the property to be disposed. An access trail is located along the northern portion of the subject property, leading from McDonald Avenue to the neighborhood park. CMBE has agreed to work with County Park and Recreation and the potential buyer to ensure that access to the park was maintained. North Carolina General Statute (NCGS) 115C-518(a) requires local school boards of education to give local boards of county commissioners the first opportunity to acquire any school owned real estate that was proposed for disposal. To comply with this statute, CMS must offer the above school district owned property to the County prior to selling the property.

The following persons appeared to speak in opposition to the County declining its right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education and instead purchase the property from CMS: Will Johns, Dave Davidson, Ellen Citarella, and Dana Lumsden.

They shared the following:

- A video was shown of the property in question and how it was currently being used.
- A petition was started of residents supporting the County's purchase of the property.
- There were 1,450 signatures to date on the petition.
- Over 260 citizens had invested time in describing how they care for and would use the land.
- On August 10, 1954 the Board of School Commissioners of the City of Charlotte paid a little over \$71,000 to Marsh Realty and Marsh Land Company for a 24 acre parcel that included the property in question. Thus, the County would not be paying twice for the property.
- Sustain Charlotte and the Charlotte Department of Transportation support preserving this area because it was an official transportation and commuter corridor.

Comments

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough, that the County not waive its right of first refusal on a portion of Tax Parcel #147-081-78 near Sedgefield Middle School (+/-3.7 acres) owned by the Charlotte-Mecklenburg Board of Education (CMBE). Secondly, that the Board authorize and direct the County Manager to negotiate with the CMS Superintendent to purchase this property in accordance with NC Gen. Stat. 115C-518-518(a) "at a price to be negotiated between the two boards" out of any County funds that the Manager determines are available and appropriate for such purchase; and that the County Manager bring back to the Board at the next meeting, if possible, or as soon as practicable, the proposed purchase terms and funding source for the Board's approval.

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Commissioner Leake asked for clarity regarding the original purchaser of the property in question, which was addressed by County Attorney Bethune.

Commissioner Leake asked about the value of the property. *Peggy Hey with Charlotte-Mecklenburg Schools (CMS) said the Board of Education received an offer of \$3.85 million, however, CMS did not have an appraisal of the property at this time.*

Commissioner Leake asked who the offer was from and what was the potential buyer's intent for the property. *Ms. Hey said the offer was received from Pulte Home Corporation and the intent was to place townhomes on the property, less than 30.*

Commissioner Leake asked would the proceeds from the sale go directly to CMS. *The response was yes.*

Commissioner Leake asked who would receive the proceeds from the sale were the County to purchase the property. *The response was that the proceeds would go to CMS, and that they would have to use it for capital expenditures.*

Commissioner Leake asked what impact the additional homes would have on the surrounding community. *Someone from the audience commented.*

Commissioner Leake said she was concerned about the amount of money involved and it going to CMS. She questioned whether the children in the area would reap the benefits of CMS receiving those funds.

Commissioner Ridenhour acknowledged seeing how the property in question was being used by residents in the area. He acknowledged that he was concerned that purchasing the property may set a precedent with respect to CMS surplus property. He said this particular property, however, was a little different from the norm and should be preserved as green space.

Commissioner Ridenhour said he would like to know more specifics regarding the County's potential funding source for the purchase were it to happen. Commissioner Ridenhour said he didn't want the funds to be taken from the Park and Recreation Department's Land Acquisition budget because it would impact existing acquisition plans for other neighborhoods.

Commissioner Ridenhour suggested funds be taken from the FY17 Authorization School Facilities Capital Project Ordinance to be considered later in the agenda, which would reduce the amount proposed in the ordinance.

Commissioner Clarke suggested that when the School Facilities Capital Project Ordinance was considered that it be approved subject to Commissioner Ridenhour's suggestion.

Chairman Fuller asked had there been any conversation with CMS regarding this matter.

County Manager Diorio said she and the Superintendent had not had an opportunity to sit down and discuss the matter, but that she had reached out to do so.

County Manager Diorio suggested Commissioner Clarke include in his motion the option of asking CMS to consider removing the property in question from its list of surplus property, thus the County wouldn't have to purchase it.

Commissioner Clarke agreed to add the County Manager's suggestion to his motion. Commissioner Scarborough, the seconder, concurred.

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Commissioner Puckett asked fellow Board members to think through the long term implications of the proposed action. He said the Board had stated in the past that it was important for CMS to be as proactive as possible in helping with their extensive capital spending plan. He said the disposal of surplus property was one way of doing that.

Commissioner Puckett said it was probable that all of CMS' surplus property had value to someone. He said the vast majority of the land owned by CMS was in someone's neighborhood.

Commissioner Puckett said he fully understood the compassion and plea of the community, despite, his stance on the issue.

Commissioner Cotham expressed support of the property being preserved. She said she'd like the County to figure out a way to purchase the property without the cost being deducted from the FY17 Authorization School Facilities Capital Project Ordinance.

Commissioner Clarke restated his motion as follows: **1)** that the Board authorize and direct the County Manager to negotiate with the CMS Superintendent to have this parcel removed from the list of surplus property; **2)** if CMS is not willing to remove it, that the Manager be authorized and directed in accordance with NC Gen. Stat. 115C-518-518(a) to negotiate with the CMS Superintendent to purchase this property "at a price to be negotiated between the two boards" out of any County funds the Manager determines are available and appropriate for such purchase; and **3)** that the Manager reduce the amount of the CMS 7/28/2016 Capital Funding Request to be funded by the County by the amount of the price to be paid by the County for the purchase of the property by the County.

Commissioner James asked had the Board of Education discussed the matter per the request of the residents in the area. *It was noted by the residents in the audience that they were told to come before the Board of Commissioners.*

Commissioner James said the property belonged to CMS and that if they were willing to remove the property from their list of surplus property, he would be supportive of that. Commissioner James said he was not supportive, however, of the County purchasing the property.

Commissioner James said the County would lose potential tax revenue by purchasing the property.

Commissioner James said he didn't feel that the purchase price could be negotiated down. Secondly, that the problem with reducing the amount of the CMS 7/28/2016 Capital Funding Request was where would the cuts be made by CMS on the list of projects. Commissioner James said there were projects on the list in his district and that he would not want to see them cut.

Commissioner James asked that the motion be voted upon in parts.

County Manager Diorio said the intent would be for CMS to use the proceeds from the sale to offset that and the proceeds would replenish the reduction, thus nothing on the list would be cut.

Chairman Fuller said that it was unfortunate that the Board of Education did not have a discussion with the community regarding the disposition of the property.

Chairman Fuller spoke in support of preserving the property in question, as well as, of Commissioner Clarke's motion.

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After hearing further comments, Commissioner Clarke restated his motion as noted below. Commissioner Scarborough, who seconded the motion agreed to the restated motion.

1) that the Board authorize and direct the County Manager to negotiate with the Charlotte-Mecklenburg Schools (CMS) Superintendent to have this parcel (a portion of Tax Parcel #147-081-78) removed from the list of surplus property; **2)** if CMS is not willing to remove it, that the Manager be authorized and directed in accordance with NC Gen. Stat. 115C-518-518(a) to negotiate with the CMS Superintendent to purchase this property "at a price to be negotiated between the two boards" out of any County funds the Manager determines are available and appropriate for such purchase; and **3)** that the Manager reduce the amount of the CMS 7/28/2016 Capital Funding Request to be funded by the County by the amount of the price to be paid by the County for the purchase of the property by the County, but without changing any of the CMS capital projects to be funded by such request; and **4)** that any purchase agreement should come back to this Board for final approval.

County Manager Diorio said if the County ended up paying CMS for the property, CMS would be informed that the proceeds had to be used to fund the advance of the projects the County was advancing them for.

Commissioner James asked about the timeline for getting a decision back before the Board.

County Manager Diorio said hopefully by the next Board meeting in two weeks.

Commissioner Puckett said he could not support the motion as a whole, because he was not in favor of telling CMS what to do with its property.

The Board voted on the motion as follows:

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour, and Scarborough voting yes and Commissioner Puckett voting no, **that the Board authorize and direct the County Manager to negotiate with the Charlotte-Mecklenburg Schools (CMS) Superintendent to have this parcel (a portion of Tax Parcel #147-081-78) removed this from the list of surplus property.**

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, **1) that if CMS is not willing to remove it, that the Manager be authorized and directed in accordance with NC Gen. Stat. 115C-518-518(a) to negotiate with the CMS Superintendent to purchase this property "(a portion of Tax Parcel #147-081-78) at a price to be negotiated between the two boards" out of any County funds the Manager determines are available and appropriate for such purchase; 2) that the Manager reduce the amount of the CMS 7/28/2016 Capital Funding Request to be funded by the County by the amount of the price to be paid by the County for the purchase of the property by the County but without changing any of the CMS capital projects to be funded by such request; and 3) that any purchase agreement should come back to this Board for final approval.**

Note: The above was not inclusive of every comment, but was a summary.

16-3512 SCHOOL FACILITIES CAPITAL PROJECT ORDINANCE

Finance Director Wanda Reeves addressed the FY 2017 Authorization School Facilities Capital Project Ordinance. She informed the Board that if the property addressed in the prior agenda item (a portion of Tax Parcel #147-081-78) was indeed purchased by the County, then staff would bring the FY 2017 Authorization School Facilities Capital Project Ordinance back to the Board for

amendment, if that was the desire of the Board.

Commissioner James questioned whether the ordinance could be amended by Board action tonight.

Finance Director Reeves suggested waiting, since it was unknown if the property would indeed be purchased and/or for what amount.

Note: This capital project ordinance addresses the advanced projects identified by CMS. The County's initial commitment in fiscal years 2017 and 2018 will be the land acquisition (\$22.5M) and design/preconstruction (\$10.8M) for a total of \$33,250,000. CMS requested full funding for Collinswood Elementary School so that project would move into construction as soon as design was completed. This initial funding of acquisition and design positions CMS to be ready to take advantage of the passage of a November 2017 bond referendum. The Board of Education approved this request at its August 9, 2016 meeting.

Motion was made by Commissioner Ridenhour, to adopt the FY2017 Authorization School Facilities Capital Project Ordinance; less any monies that may be needed to acquire Charlotte-Mecklenburg Schools' excess property at Sedgefield Middle School (a portion of Tax Parcel #147-081-78).

County Attorney Bethune explained that Commissioner Ridenhour's suggested motion would need to be more definitive by indicating a specific amount, per the part of the motion referencing a reduction.

The following persons appeared to speak regarding the ordinance:

Students, Lindsay and Shantel, from Collinswood Language Academy, spoke in support of the ordinance and how it would benefit their school.

Rebecca Kucera, parent and past president of the PTA at Collinswood spoke in support of the ordinance as well. Ms. Kucera also questioned the County's inability to preserve the property at Sedgefield Middle School, as well as maintain the ordinance as proposed, in light of the amount of funds available in the County's fund balance. Ms. Kucera said the County should be able to do both.

Another parent spoke as well. She, too, questioned the reduction of the ordinance if the property at Sedgefield Middle School was purchased. She suggested the Board inform the public of that consideration and allow the public to comment before taking any action. She spoke in opposition to any reductions to the ordinance.

Commissioner Leake noted that West Charlotte High School was not on the list of projects and questioned why it was not.

Commissioner Ridenhour clarified that the County was not reducing CMS' list of projects. He explained that the proceeds from a possible purchase of the Sedgefield property would be used to ensure the list of projects remained.

Commissioner Scarborough expressed dissatisfaction with nothing being on the list to address a new West Charlotte High School.

Motion was made by Commissioner James, seconded by Commissioner Ridenhour and carried 6-2 with Commissioners Clarke, Cotham, Fuller, James, Puckett, and Ridenhour voting yes and Commissioners Leake and Scarborough voting no, to adopt the FY2017 Authorization School Facilities Capital Project Ordinance.

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Note: This matter would come back to the Board, if there was indeed a purchase by the County of Charlotte-Mecklenburg Schools' excess property at Sedgefield Middle School (Tax Parcel #147-081-78).

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 AUTHORIZATION SCHOOL FACILITIES
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF SEPTEMBER 2016:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Land Acquisition	\$22,500,000
(3 new elementary schools, 1 new high school, Shamrock Gardens ES, Briarwood ES)	
Design/Preconstruction	\$10,750,000
(Collinswood K8, Harding HS, Marie G. David K12, Montclair ES, new K8 – South, New K8 – North)	

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, \$33,250,000 is hereby appropriated.

Section II. That it is estimated that the revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

2016-2017 fiscal year	\$33,250,000
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Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged at which time repayment, if required, will be made: and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minutes/Ordinance Book _____, Document # _____.

Commissioner Ridenhour left the dais and was absent for the remainder of the meeting.

COUNTY COMMISSIONERS REPORTS & REQUESTS

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, and Scarborough voting yes, to approve the following item(s):

16-3447 REVALUATION RESERVE FUND

Appropriate \$506,000 from the Revaluation Reserve Fund into the County Assessor's Office (CAO) budget for FY17.

Note: Funds were accumulated in the Revaluation Reserve Fund for the past several years in order to prepare for the next revaluation, now scheduled for 2019. This action provides for the initial expenditure by the Assessor in this fiscal year for positions and equipment. In addition,

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funding has been provided for technology in the Technology Reserve Fund. Funding will be requested as needed to continue preparation for the revaluation.

16-3469 BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)

Recognize, receive and appropriate \$200 from the Huntersville Chick-fil-A.

Note: The Huntersville Chick-fil-A made a \$200 monetary donation to the Mecklenburg County Sheriff's Office (MCSO) from proceeds of their "Back the Blue" community event. The event was held on June 29, 2016 to support local law enforcement agencies. MCSO was concluding its first year of participation in the Presidential Volunteer Service Awards program that recognizes MCSO employees for their volunteer hours within the Charlotte community. The funds will be used to purchase awards for the MCSO employees that meet the criteria established by the Program. The average price for the awards package would be less than \$15.

16-3476 SET PUBLIC HEARING - PRELIMINARY STREET LIGHTING ASSESSMENTS

Adopt a resolution of the Preliminary Assessment Roll for the operating cost of street lights and set a public hearing on October 4, 2016 at 6:30 p.m. on Street Lighting Preliminary Assessment Roll for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood subdivisions.

Note: Mecklenburg County participates in an assessment program to provide street lighting in order to increase safety in subdivisions. Homeowners in these subdivisions went through a rigorous petition process that qualified the subdivisions for funding in the form of a loan for the installation and operation of street lights. Homeowners are in turn assessed for these costs until the subdivisions are incorporated into the city limits. The public hearing is required by General Statutes and will allow property owners in these subdivisions to comment on the street lighting assessments for operating costs paid during the FY16 fiscal year.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CAPPS HOLLOW SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on streets in the Capps Hollow Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted Final Assessment Resolutions on this project on September 2, 1997, and November 6, 2002, approving both projects for Sections 1 & 2 and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all streets in the Capps Hollow Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2090.31 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the Capps Hollow Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,390.31 spent for these street lighting fixtures in the Capps Hollow Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets within the Capps Hollow Subdivision; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct

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payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Capps Hollow Subdivision during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 04, 2016 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Capps Hollow Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first class which they were mailed.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CARDINAL WOODS SUBDIVISION AND CARDINAL WOODS ESTATE
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on streets within the Cardinal Woods Subdivision and Cardinal Woods Estate; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 20, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate, and providing that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$5985.51 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2016 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$6,285.51 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate where the acorn street lighting fixtures are located; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax records, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 4, 2016 in the Meeting

Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Cardinal Woods Subdivision and Cardinal Woods Estate at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available

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for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
HEARTHSTONE SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Hearthstone Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a final assessment resolution on this project on January 19, 1993, approving the project and requesting that Duke Power Company install and operate the street lighting fixtures on all streets in the Hearthstone Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2,515.84 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,815.84 spent for the operation of these street lights in the Hearthstone Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost of the operation of these street lights during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Hearthstone Subdivision during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 4, 2016 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Hearthstone Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
McGINNIS VILLAGE SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on all of the streets in the McGinnis Village Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 5, 1999, approving the project and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all of the streets in the McGinnis Village Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and the operating costs would be assessed to the property owners by

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Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$3,345.58 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the McGinnis Village Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$3,645.58 spent for the operation of these street lighting fixtures in the McGinnis Village Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the McGinnis Subdivision within Mecklenburg County; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the McGinnis Village Subdivision during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 4, 2016 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the McGinnis Village Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a final assessment resolution on this project on February 3, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$6,240.23 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$6,540.23 spent for the operation of the street lights in the Mountain Point Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights, during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; **now, therefore, be it**

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RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Mountain Point Subdivision during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 4, 2016 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT ESTATES SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Estates Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a final assessment resolution on this project on February 1, 2000, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Estates Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2,141.22 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,441.22 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights, during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Mountain Point Estates Subdivision during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 4, 2016 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Estates Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on the streets within the Royal Oaks Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a final assessment resolution on this project on February 6, 1996, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Royal Oaks Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$3,211.97 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2016 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$3,511.97 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate these street lighting fixtures during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of the said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Royal Oaks Subdivision during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 4, 2016 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Royal Oaks Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
SPICEWOOD SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Spicewood Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a final assessment resolution on this project on October 5, 1992, approving the project and requesting that Duke Power Company install and operate the street lights on all streets in the Spicewood Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$1,759.90 to Duke Power Company for charges incurred for the operation of these streetlights in the Spicewood Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,059.90 spent for the operation of the street lights in the Spicewood Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North

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Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Spicewood Subdivision during the 2016 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 4, 2016 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Spicewood Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolutions recorded in full in Minutes/Ordinance Book _____, Document # _____, _____, _____, _____, and _____.

16-3477 AUCTION FOR DISPOSAL OF EQUIPMENT

Approve the list (Exhibit A) as surplus, and adopt a resolution authorizing sale of surplus personal property by public auction on September 17, 2016.

Note: The Live auction will be conducted by Rogers Realty and Auction Company Inc.

MECKLENBURG BOARD OF COUNTY COMMISSIONERS

Resolution Authorizing Sale of Surplus Personal Property by Public Auction

WHEREAS, North Carolina G.S. 160A-270(b) allows the County to sell surplus personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the surplus property at public auction; and

WHEREAS, the County Manager has recommended that the surplus property listed on the attached Exhibit-A should be sold at public auction; **now, therefore, be it**

RESOLVED, by the Mecklenburg Board of County Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of September 17, 2016 at 10:00 am at 5550 Wilkinson Boulevard, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Resolution and Delegation of Authority Form recorded in full in Minutes/Ordinance Book _____, Document # _____.

16-3479 ITEM REMOVED FROM THE AGENDA: MECKLENBURG COUNTY FOXHOLE LANDFILL SCALE IMPROVEMENT PROJECT

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16-3481 SALE OF 5200 SPECTOR DRIVE

Adopt Resolution entitled: Resolution Authorizing Sale Of Property To Epes Transport System, Inc.

Note: This was the second of two Board action items to authorize the sale of the County's approximately 11.9 acre parcel located at 5200 Spector Drive (Tax Parcel 137-19-214). On August 3, 2016, the Board approved Agenda item 16-3461(2) to begin the upset bid procedure for the sale of this property to Epes Transport System, Inc. for a price of \$1,800,000. The required advertisement seeking upset bids was published in The Charlotte Observer on August 19, 2016. Since no upset bids were received during the ten (10) day period following the date of publication, this Action Item has been placed on the September 6th agenda seeking Board approval of the sale to Epes Transport System, Inc. for a purchase price of \$1,800,000. The proceeds of this sale will be used to fund Pay-As-You-Go projects.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING SALE OF PROPERTY TO
EPES TRANSPORT SYSTEM, INC.**

WHEREAS, Mecklenburg County owns an approximately 11.9 acre tract (tax parcel 137-19-214), located at 5200 Spector Drive ("County Property"); and

WHEREAS, Epes Transport System, Inc. offered to purchase said property for \$1,800,000, and has given a deposit of 5% (\$90,000) to Mecklenburg County for said County Property; and

WHEREAS, on August 3, 2016, pursuant to G.S. 160-269, the Board of County Commissioners declared its intent to sell this property to Epes Transport System, Inc. and authorized the advertisement for upset bids, which advertisement ran in *The Charlotte Observer* on August 19, 2016; and

WHEREAS, no upset bid was received during the ten (10) day period following the publication of the notice on August 19, 2016; and

WHEREAS, the Board has determined it to be in the public interest for the County to sell the County Property to Epes Transport System, Inc. for \$1,800,000; now, therefore, be it

RESOLVED that the Board of County Commissioners proposes to accept the offer from Epes Transport System, Inc. to purchase tax parcel 137-19-214), located at 5200 Spector Drive, for \$1,800,000, and authorizes and directs the County Manager to negotiate and execute a contract for the sale, and to execute the deed and any other documents necessary to effectuate the sale of said property.

Resolution recorded in full in Minutes/Ordinance Book _____, Document # _____.

16-3485 MINUTES

Approve Minutes of Regular meeting held August 3, 2016 and Closed Session held August 3, 2016.

16-3486 CONSULTANT SELECTION - HVAC SYSTEM REPLACEMENT AT RAY'S SPLASH PLANET

Authorize the County Manager to negotiate fees and execute a contract with Teeter Engineering Group, P.A. for design services for the Heating, Ventilating, Air Conditioning System Replacement at Ray's Splash Planet; In the event negotiations with Teeter Engineering Group, P.A. are unsuccessful, authorize the County Manager to negotiate fees with Optima Engineering, PA for this project.

**16-3489 STORM WATER PROGRAM - FY17 HAZARD MITIGATION FLOODPLAIN
ACQUISITION**

Accept the Offer of Sale of Real Estate from Christopher and Emily Carrara, owners of property at 5028 Addison Drive (Tax Parcel 185-071-03), for \$350,000; and authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises

Note: These acquisitions were being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

**16-3490 INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE - BRIAR CREEK
WATER QUALITY IMPROVEMENT PROJECT**

Adopt Resolution authorizing Interlocal Agreement for funding of Briar Creek Water Quality Improvement Project at the Mint Museum – Randolph Road; and receive and appropriate up to \$550,000 from the City of Charlotte for its share of the Briar Creek Water Quality Improvement Project.

MECKLENBURG COUNTY

**RESOLUTION AUTHORIZING EXECUTION OF THE
INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE CITY OF
CHARLOTTE FOR FUNDING OF THE BRIAR CREEK WATER QUALITY IMPROVEMENT PROJECT
AT THE MINT MUSEUM – RANDOLPH ROAD**

WHEREAS, on May 17, 1993 the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County – Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, the plan requires use of a rate structure based on impervious area and a base rate charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, N.C. Gen. Stat. § 160A-461, “Interlocal Cooperation Authorized,” authorizes units of local governments to enter into agreement with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government; and

WHEREAS, Mecklenburg County and the City of Charlotte (the “City”) have negotiated an Interlocal Agreement for Funding of the Briar Creek Water Quality Improvement Project; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such an agreement “...shall be ratified by resolution of the governing board of each unit spread upon its minutes”; **now, therefore, be it**

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the Interlocal Agreement for Funding of the Briar Creek Water Quality Improvement Project between the County of Mecklenburg and the City of Charlotte in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution recorded in full in Minutes/Ordinance Book _____, Document # _____.

16-3491 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$42,998 for Asset and Facility Management and \$2,854 for Sheriff's Office.

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Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3494 FY16-17 NCDOT RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT APPLICATION

Adopt a Certified Statement for the Mecklenburg County Department of Social Services to submit an application for the North Carolina Department of Transportation's Rural Operating Assistance Program (ROAP) Grant for Fiscal Year 2016-2017.

Certified Statement recorded in full in Minutes/ Ordinance Book _____, Document # _____.

16-3503 TAX REFUNDS

1) Approve refunds in the amount of \$9,611.00 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor;

Note: 1. This Board action was necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$102,658.57 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$4,609.83.

A list of the taxpayer recipients is on file with the Clerk to the Board.

16-3520 ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD TRAVEL POLICY

Approve Mecklenburg County Alcoholic Beverage Control (ABC) Board 2016-2017 Travel Policy.

Note: G.S. 18B-700, as amended by S.L. 2010-122 allows a local ABC Board to adopt a travel policy if it conforms to the travel policy of the appointing authority and is approved by the appointing authority. The Mecklenburg Board of County Commissioners is the appointing authority for the Mecklenburg County ABC Board. The Mecklenburg County ABC Board travel policy was last amended on October 20, 2015 and is attached. Consistent with the requirements of 18B-700, the ABC Board requests the approval of the Mecklenburg Board of County Commissioners of its 2016/17 ABC Board Travel Policy.

Policy recorded in full in Minutes/Ordinance Book _____, Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner James left the dais and was absent for the remainder of the meeting.

Commissioner Cotham left the dais and was away until noted in the minutes.

16-3471 GRANT APPLICATION - HUD CONTINUUM OF CARE

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-0 with Commissioners Clarke, Fuller, Leake, Puckett, and Scarborough voting yes, to

A) Approve submission of five renewals and one new grant application to the U.S. Department of Housing and Urban Development:

1) Grant for up to \$1,796,907 for the year 9/1/17 - 8/31/2018 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal A-16)

2) Grant for up to \$125,160 for the year 9/1/2017 - 8/31/2018 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal B-16)

3) Grant for up to \$104,522 for the year 8/1/2017 - 7/31/2018 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal C-16)

4) Grant for up to \$125,160 for the year 6/28/2017 - 6/27/2018 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal D-16)

5) Grant for up to \$63,000 to administer the Homeless Management Information System for the Mecklenburg Continuum of Care for the period April 1, 2017 through March 31, 2018 (Renewal)

6) Grant for up to \$71,063 for the year January 1, 2017 through December 31, 2017 to provide Coordinated Assessment for homeless individuals and families

B) Recognize, receive and appropriate funds for the amounts awarded for the duration of the grant periods; and

C) Authorize one position in the Community Support Services Department, Homeless Services Division: 1 Senior Social Worker (annual market rate is \$54,664).

Commissioner Leake removed this item from Consent for more public awareness.

16-3475 BUDGET AMENDMENT - CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-0 with Commissioners Clarke, Fuller, Leake, Puckett, and Scarborough voting yes, to recognize, receive and appropriate additional State revenue in the amount of \$179,589 for Re-entry Services from the North Carolina Department of Public Safety.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Cotham returned to the dais.

16-3478 GRANT APPLICATION - PREVENTION OF DOMESTIC VIOLENCE AMONG YOUTH AND YOUNG ADULTS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to:

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1. Approve submission of renewal grant application to the Department of Administration, North Carolina Council for Women for prevention of domestic violence and teen dating violence;
2. Recognize, receive and appropriate funds for the amount awarded for the duration of the grant period; and
3. Increase from part-time to full-time one senior social worker position, if sufficient funds are awarded.

Commissioner Leake removed this item from Consent for more public awareness.

16-3480 NC CLEAN WATER MANAGEMENT TRUST FUND GRANT AWARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to recognize, receive and appropriate up to \$400,000 from the North Carolina Clean Water Management Trust Fund (CWMTF) for Little Sugar Creek Environmental Restoration Initiative Phase 11; and authorize the County Manager to negotiate and enter into a grant contract with CWMTF.

Commissioner Leake removed this item from Consent for more public awareness.

16-3492 ACCEPT NCDOT GRANTS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to:

1. Recognize, receive and appropriate the award of grants by Charlotte Regional Transportation Planning Organization (CRTPO) for two North Carolina Department of Transportation - State Transportation Program Direct Attributable (NCDOT STPDA) grants and one NCDOT Congestion Mitigation and Air Quality (CMAQ) grant to help fund three greenway projects.

a. Four Mile Creek Greenway	STPDA Grant	\$1,114,000
b. Little Sugar Creek Greenway	STPDA Grant	2,200,000
c. Toby Creek Greenway	CMAQ Grant	840,000
	TOTAL:	\$4,154,000

2. Amend the *FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance*.

3. Authorize the carry forward of unspent grants funds to subsequent years upon completion of the project.

4. Authorize the County Manager to enter into these grant contracts.

5. Approve the use of Federal DBE special provision for bidding, instead of using the County M/W/SBE provisions, as required, in order to obtain NCDOT grant funding.

Commissioner Leake removed this item from Consent for more Public Awareness.

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FY 2016 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of *FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance as adopted July 6, 2016*

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF SEPTEMBER 2016:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects:

See attached Exhibit A

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$151,172,900 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2014-2016 fiscal years	\$50,500,000
2017 fiscal year	67,242,790
2018 fiscal year	26,589,000
2019 fiscal year	2,687,110
NCDOT Funding	4,154,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minutes/Ordinance Book _____, Document # _____.

16-3497 DUKE LIGHTING SERVICE CONTRACT - METHODIST HOMES PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to approve a contract with Duke Energy in the amount of \$6,538.32 for a 3-year service contract (\$181.62 per month) to replace outdoor lighting that was removed by a City of Charlotte Storm Water project along Briar Creek at Methodist Homes Park.

Commissioner Leake removed this item from Consent for more public awareness.

16-3502 CONSTRUCTION CONTRACT - GOVERNMENT DISTRICT MASTER PLAN PHASE 1 – PUBLIC DEFENDER AND CRIMINAL JUSTICE SERVICES RELOCATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to award a construction contract to Messer Construction in the amount of \$5,392,535

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Note: This contract is for the relocation of two departments and includes the renovation of 715 E. Fourth St. (Former Intake Center) and the renovation of 1 ½ floors and window replacement of 720 E. Fourth St. (County and Courts Office Building or CCOB). The Mecklenburg County Criminal Justice Services Department will occupy 715 E. Fourth St, and the Office of the Public Defender will occupy 720 E. Fourth Street. Both departments are relocating as part of Phase I of the Government District Master Plan.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:07 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, September 20, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour,
and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke, Dunlap, Ridenhour, and Scarborough were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3504, 16-3506, 16-3507, 16-3515, and 16-3521 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

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CLOSED SESSION –

16-3518 CONSULT WITH ATTORNEY
16-3562 LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 5-0 with Commissioners Cotham, Fuller, James, Leake, and Puckett voting yes, to go into Closed Session for the following purposes: Consult with Attorney and Land Acquisition.

The Board went into Closed Session at 5:11 p.m. and came back into Open Session at 5:50 p.m.

Commissioners Clarke, Dunlap, Ridenhour and Scarborough were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Scarborough, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

16-3516 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Greg Kudas said there were social security numbers on one of the County's websites that should be removed. He suggested Commissioners poll department heads and other elected officials to determine where the information was located. Mr. Kudas said if he didn't see progress on the removal, he would contact the citizens impacted by this and advise them of their risks of identity theft. He said he would also charge them a fee to get it removed. Mr. Kudas showed the Board letters that he said were ready to be mailed if no action was taken.

APPOINTMENTS

16-3536 APPOINTMENTS

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Peter Engels to the Park and Recreation Commission as the Central Region 2 representative to fill an unexpired term, expiring June 30, 2018.

Note: Mr. Engels was the only nominee. He replaces Tony Arreaza who resigned because of other obligations.

Commissioner Leake asked about orientation for persons appointed to advisory boards and requested information on what it entailed for each board.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3470 2016 NACO ACHIEVEMENT AWARDS WINNERS

The Board recognized Mecklenburg County's 2016 NACo Achievement Award winners.

Public Information Director Danny Diehl presented the winners.

Note: The National Association of Counties (NACo) annual Achievement Award Program is a non-competitive awards program that recognizes innovative county government initiatives. Awards are given in 21 different categories including children and youth, criminal justice and public safety, county administration, county resiliency, information technology, health and many more.

The winning programs were as follows:

Park and Recreation – Therapeutic Recreation

- **(Adapted Tango)** Adapted Tango is an inclusive workout designed for adults with Parkinson's Disease.

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- **(Little Gymsters)** The Little Gymsters program was created to give children with special needs the opportunity to run, jump, flip, tumble, and have fun with their peers, while at the same time increasing their motor skills, balance, and social skills.

Land Use & Environmental Services Agency (LUESA)

- **(Code Enforcement Customer Service Center)** After customers said it was difficult to navigate state and local building codes, Mecklenburg County Code Enforcement opened the Customer Service Center in December 2015.
- **(LUESA Exchange-An Employee Enrichment Opportunity)** Six divisions and more than 350 professionals make up LUESA. To build knowledge across the distinct, diverse organization, LUESA offers employees the chance to shadow a co-worker in another division for several days to learn more about what that person contributes to the agency.

MEDIC

- **(High Frequency Users Program)** This program aligns people who call 911 with non-life threatening emergencies over and over with the resources they truly need, diverting them out of the emergency response system.

Charlotte Mecklenburg Library

- **(ONE Access)** In 2015, the Charlotte Mecklenburg Library, CMS, Mecklenburg County and the City of Charlotte accepted the White House's Connected Library Challenge, pledging to provide students with easily accessible information and educational resources.

County Manager's Office

- **(Strategic Planning and Evaluation Team)** For the first time in 2015, all 20 County departments and two business partners developed and implemented three-year strategic business plans for fiscal years 2017 through 2019.

Human Resources Department – Learning and Development Services

(Supervising 4 Success) Supervising 4 Success provides managers with in-depth supervisory and leadership skills over a six-day course.

16-3540 PUBLIC HEALTH DEPARTMENT UPDATE

The Board received a Public Health Department update on the Healthiest Cities & Counties

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Challenge Award and the Whitewater Center from Health Department Director Dr. Marcus Plescia. Cheryl Emanuel, a manager at the Health Department addressed the Healthiest Cities & Counties Challenge Award.

Note: Healthiest Cities & Counties Challenge - The Mecklenburg County Public Health, Village HeartBEAT program received a \$10,000 Healthiest Cities & Counties Challenge Award. The award distinguishes Mecklenburg County Public Health as a participant in a national initiative to improve community health. At the completion of a two-year cycle, the Village HeartBEAT program will have trained over 600 health ambassadors. Ambassadors will demonstrate improvements in biometric measures (weight, BMI, blood pressure, and Hgb A1c). Additionally, ambassadors within the 60 participating faith-based organizations will create sustainable changes in policy and local programs that model healthy behaviors in the domains of tobacco use, healthy diet and activity for their congregants and surrounding community members.

Comments:

Commissioner Leake thanked Ms. Emanuel for her work and dedication.

Chairman Fuller thanked her as well.

Whitewater Center Update

Dr. Plescia noted the following regarding the Whitewater Center:

- The Health Department was in the process of preparing for the Board's consideration Local Health Regulations that would be applicable to the Whitewater Center.
- The regulations would be presented to the Board at the October 6, 2016 meeting.
- After hearing the proposed regulations, if the Board wanted to move forward, action would be needed to schedule a public hearing on October 18, 2016 to receive public comment and to consider adoption on that date as well.

Commissioner Leake expressed disappointment that to date, no one from the Whitewater Center had appeared at a Board meeting to express any type of sentiments to the Board or the public.

Commissioner Leake requested information on how much it had cost the County to assist the Whitewater Center with getting its whitewater rafting component back open.

Commissioner Ridenhour said he heard from Whitewater CEO Jeff Wise, who expressed thanks to the County for all of its assistance.

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Commissioner Leake said thanks should have been expressed to the full Board.

Commissioner Scarborough and Chairman Fuller concurred with Commissioner Leake that Whitewater Center officials should have expressed thanks to the full Board.

Note: The above was not inclusive of every comment was a summary.

16-3542 NORTH TRYON VISION PLAN

The Board received a report from Michael Smith with Charlotte Center City Partners on the North Tryon Vision Plan.

Note: The County, along with several other community partners have been collaborating on a vision plan for the North Tryon Corridor. A major property owner in the corridor which includes the Hal Marshall Center and Spirit Square, the County has a vested interest in the vision for the area. In addition, as a major funding partner to the Charlotte-Mecklenburg Library, the County works closely on capital planning for the library system, which includes the main branch which is located in the North Tryon study area. The Plan was completed and the respective governing boards were being asked to adopt the plan.

A copy of the Plan is on file with the Clerk to the Board.

Comments

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough to approve the North Tryon Vision Plan.

Commissioner Leake asked who owned Hall House referenced in the Plan. *The response was the Charlotte Housing Authority.*

Commissioner Leake questioned why there were no churches included in the Plan. She noted that she had asked the County Attorney to check on the zoning classifications for this area to see if there was an ordinance preventing additional churches from being built, and specifically Black churches. *Mr. Smith said he was not aware of any ordinance prohibiting churches from being built in this area.*

Commissioner Leake asked that consideration be given to incorporating the faith community in the Plan.

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Commissioner James said he would vote in favor of the Plan as presented, with the understanding that there were no dollars associated with the Board's vote, nor any commitment dollar-wise. He said his continued support would depend upon what's brought back to the Board for consideration.

Commissioner Cotham expressed concern for the proposed underground parking and the County's expected involvement with that part of the plan. Commissioner Cotham said underground parking was very expensive to do.

Commissioner Cotham said a lot of major cities were building buildings downtown without parking. She said the idea was to promote transit.

Commissioner Cotham acknowledged how instrumental Al Levine and his family were in helping develop this Plan. She noted that Mr. Al Levine passed away recently.

Commissioner Puckett expressed concern for the proposed underground parking and noted that it was to be located on property owned by the County, per the Plan.

Commissioner Puckett said the underground parking was the most expensive part of the development. Commissioner Puckett said if the Plan hinged on the underground parking and it being funded by the County, then that assumption should be re-thought.

Commissioner Puckett said something innovative, however, should be done with respect to parking. He noted that what was being done at the Old Carolina Theatre was innovative and that perhaps the above ground parking behind Discovery Place could be expanded.

Commissioner Puckett asked County Manager Diorio if the County property referenced in the Plan continued to be on the market for development by someone other than the County.

County Manager Diorio said with respect to the Hal Marshall Center property, the County would follow a similar process as was done with the Brooklyn Village property and obtain a master developer. County Manager Diorio said a developer would develop the property in keeping with the Vision Plan.

Commissioner Clarke addressed the importance of public/private partnerships with projects of this nature. He referenced the success of the Metropolitan development.

Commissioner Dunlap said he agreed with Commissioner Clarke with respect to the importance of public/private partnerships.

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Commissioner Dunlap commented on parking and noted that not having parking may make it cost prohibited for some residents to come downtown. Commissioner Dunlap said the County had a stake in the overall success of the Plan. He said the intent, however, was not to “bankrupt” the County to make it happen.

Commissioner Dunlap said he was supportive of the general concept and felt that it was the right time to move forward.

Chairman Fuller expressed support of the Plan as outlined. He expressed concern, however, that the underground parking was only being proposed for the publicly owned property.

Chairman Fuller clarified that the Board was only being asked, at this time, to approve the Vision. He said there would be other opportunities as this process moved forward to determine what actually would be developed, how, and by whom.

He said it’s possible the Plan may end up being a European model, where the center part of the city was walkable and parking would be available on the outer edges.

Chairman Fuller said he concurred with Commissioner Dunlap that there needed to be some parking available, otherwise, the only people taking advantage of the area would be those that lived downtown.

Chairman Fuller said these types of developments required public and private sector participation in order to be successful.

Commissioner Scarborough expressed excitement about the Plan and said she hoped it would include mixed income.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes to approve the North Tryon Vision Plan.

Note: The above was not inclusive of every comment was a summary.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

16-3528 DEPARTMENT MANAGEMENT MONTHLY REPORTS

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The Board received as information monthly departmental management reports for September, 2016.

Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments. The reports show relevant performance indicators of departmental activity.

A copy of the Reports is on file with the Clerk to the Board.

16-3529 FEATURE DEPARTMENT PRESENTATION: OFFICE OF ECONOMIC DEVELOPMENT

The Board received as information a report from Mecklenburg County's Office of Economic Development from Department Director Peter Zeiler.

A copy of the Report is on file with the Clerk to the Board.

Comments

Commissioner Scarborough, chair of the Board's Economic Development Committee, thanked Director Zeiler and his staff for their work, as well as, Assistant to the County Manager Timmothy Tibbs.

Commissioner Leake addressed the importance of small businesses. Commissioner Leake expressed special thanks to Economic Development Office staff member Teresa McDow for all of her work with respect to small businesses over the years, as well as, her work with the Small Business Consortium that was started by Commissioner Leake several years ago.

Commissioner Leake requested employment information on companies that received a Business Investment Grant, with respect to how many Mecklenburg County residents were initially hired and still employed, as well as, the total number of local residents to date.

Commissioner Dunlap asked for clarity with respect to Business Investment Program client meetings and invitations, which was addressed.

Commissioner Dunlap asked for clarity with respect to companies that did not meet the compliance standards. *Director Zeiler explained what happened in those instances.*

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Commissioner Dunlap asked how much did the County's tax base increase, per the number of grants awarded in FY16. *Director Zeiler said the investment amount shown in the report was the amount the companies had to put in the ground or have machinery or equipment that was taxable.*

Commissioner Ridenhour asked Director Zeiler to comment on what role could the County's Economic Development efforts have in helping drive the "innovation corridor," the North Tryon corridor. *Director Zeiler said that would be something the department would be looking at going forward.*

Commissioner Ridenhour commented on housing in North Tryon Street Vision Plan.

Commissioner Ridenhour said if "affordable housing" (meaning, as an example, housing for someone with an annual income of \$25,000) was going to be included, how could the County assist in recruiting merchants that would be affordable for those individuals, with respect to their food, clothing and other shopping needs. *Director Zeiler said there were a number of ways to address that issue. He said one would be to make sure there was access to transportation which would allow persons to go to other areas and shop. He said rent subsidies could be offered to targeted retailers. Director Zelier said the issue of ensuring that persons with lower income levels were able to access and afford to live downtown was something that would need to be addressed at the beginning of the project rather than after the fact.*

Commissioner Ridenhour thanked Director Zeiler for the work his office was doing.

Commissioner Leake asked about west Charlotte, specifically, Beatties Ford Road.

Commissioner Leake said there was a need for new development in this area. She asked staff to come up with ways to encourage investments in west Charlotte.

Commissioner Puckett said efforts had been started to address the west Charlotte corridor and other areas like it, by offering higher incentives, then in perhaps other areas of the County.

He said the Board's Economic Development Committee recently changed the way by which geographic areas for economic development were targeted for offering either higher or lower tax incentives. He said he believed Beatties Ford Road was one of those areas targeted and that higher tax incentives would be offered for companies willing to invest in this area of the County.

Chairman Fuller commented on small businesses and their impact on the economy.

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Chairman Fuller said if there was interest in generating more economic activity, then the County's focus should be on small businesses.

Chairman Fuller said it appeared that the focus had been on drawing in large corporations into the City/County. He said it's being seen now that large corporations can't be the only answer.

Chairman Fuller said the County needed to be able to respond to the needs of small businesses and provide them with some type of access to capital dollars.

Chairman Fuller said investments were also needed in the east part of the County.

Chairman Fuller thanked Director Zeiler for continued work around developing an Economic Development Plan.

Note: The above was not inclusive of every comment was a summary.

STAFF REPORTS & REQUESTS

16-3511 FFY 2015 HUD CONSOLIDATED ANNUAL PERFORMANCE EVALUATION AND REVIEW

The Board received Information about the FFY 2015 HUD Consolidated Annual Performance Evaluation and Review.

Assistant to the County Manager Timmothy M. Tibbs gave the report. He was joined at the podium by Tama Roach, Operations Director for the Ada Jenkins Family Center and Libby Johnston, Executive Director of the Davidson/Cornelius Child Development Corporation. They thanked the Board for being a grant recipient and addressed the impact of the grant on their programs.

Note: As an Urban County Entitlement designated by the U.S. Department of Housing and Urban Development (HUD), Mecklenburg County receives Community Development Block Grant funds annually. The 2015 CAPER describes the projected results and benefits produced by Mecklenburg County as projected by the County's FFY 2015 Annual Action Plan.

A copy of the Report is on file with the Clerk to the Board.

Comments

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Commissioner Leake asked about staffing at the Ada Jenkins Family Center, which was addressed.

Commissioner Leake said she was not aware of the facility problems that existed at Ada Jenkins and found it to be quite disturbing.

Commissioner Puckett said Ada Jenkins had a great mission and that there were over 700 volunteers that worked with the agency. He said the agency was well supported, however, the building it resided was in need of much repair. He said the grant that the County was able to obtain and award to Ada Jenkins was a tremendous help in addressing some of those facility needs.

Chairman Fuller asked was the amount of funds being received from HUD for Community Development Block Grants proportionate to the County's size. *Assistant to the County Manager Tibbs said the County's funding was based on a formula and the population of the unincorporated area of the County and Towns. He said Mecklenburg County was in the top two or three counties in the state when it came to the amount of funding received.*

Chairman Fuller questioned whether it was possible for the County to receive more, in light of the size of the overall community.

Chairman Fuller asked where the County ranked nationally. *Assistant to the County Manager Tibbs said he would get the answer and report back to the Board.*

Commissioner James asked about the status of projects in Matthews. *Assistant to the County Manager Tibbs explained that because of a HUD error last year that the Town of Matthews was removed from the allocation list. He said it had since been reallocated and things were now getting to the point where work on those projects could begin.*

Commissioner James asked what area of Matthews was it. *The response was the Crestdale community.*

Commissioner Ridenhour asked about the repair costs at Ada Jenkins, which was addressed.

Commissioner Ridenhour expressed concern for the length of time that it took to address the facility needs at Ada Jenkins.

Chairman Fuller thanked the representatives for their work.

Note: The above was not inclusive of every comment but was a summary.

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COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Commissioner Puckett asked that Item 16-3533 be removed from Consent, in addition to the items previously identified.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3510 BUDGET ADJUSTMENT (LUESA)

Approve transfer of funds from operational to capital outlay appropriation for purchase of water quality monitoring equipment.

16-3517 MINUTES

Approve Minutes of Regular meeting held September 6, 2016.

**16-3519 STORM WATER PROGRAM - FY17 HAZARD MITIGATION FLOODPLAIN
ACQUISITION**

1. Accept the Offer of Sale of Real Estate from Fred F. Payonk, Jr., owner of property at 4751 Emory Lane (Tax Parcel 163-083-10), for \$330,000.
2. Authorize the County Manger to negotiate and execute a Memorandum of Understanding with City of Charlotte in which City contributes \$190,000 towards purchase of referenced property in exchange for storm drainage easement across the property.
3. Recognize, receive and appropriate \$190,000 from City of Charlotte.
4. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: These acquisitions were being done through the County's Hazard Mitigation Program. The goal of the Program was to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open

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space, expanding greenways, constructing wetlands, etc.). Acquisition of the referenced parcel was intended to further our Program goals while providing construction cost savings to the City of Charlotte in its Water Oak Storm Drainage Improvement Project.

MOU recorded in full in Minutes/Ordinance Book _____, Document # _____.

16-3522 BUDGET AMENDMENT - LUESA (REVENUE INCREASE)

1) Recognize, receive and appropriate a revenue increase of \$20,000 from Neighborhoods at Bradford LLC. and First Charter Bank as part of a default of bond obligations related to Bradford Subdivision (Phase 1 Map 1) to complete the subdivision repairs according to the approved plans and carry forward the unspent balance until project is completed.

2) Recognize, receive and appropriate a revenue increase of \$20,000 from Neighborhoods at Bradford LLC. and Aquesta Bank as part of a default of bond obligations related to Bradford Subdivision (Phase 2 Map 1) to complete the subdivision repairs according to the approved plans and carry forward the unspent balance until project is completed.

3) Recognize, receive and appropriate a revenue increase of \$20,000 from Neighborhoods at Bradford LLC. and Aquesta Bank as part of a default of bond obligations related to Bradford Subdivision (Phase 3 Map 1) to complete the subdivision repairs according to the approved plans and carry forward the unspent balance until project is completed.

Note: Pursuant to the terms of the defaulted bond, Mecklenburg County will use the funds from the bond to complete the subdivision repairs according to the approved plans. The funds will be limited to paying for costs of repairs, including reimbursement to Mecklenburg County for any and all expenses which may have incurred after the default such as construction expenses, staff time and attorney fees related to the project.

16-3523 BUDGET AMENDMENT - LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of \$19,490 from Gilead Ridge, LLC and Paragon Commercial Bank as part of a default of bond obligation related to Gilead Ridge Subdivision (Phase 3 Map 2) to complete the subdivision repairs according to the approved plans and carry forward the unspent balance until project is completed

Note: Pursuant to the terms of the defaulted bond, Mecklenburg County will use the funds from the bond to complete the subdivision repairs according to the approved plans. The funds will be limited to paying for costs of repairs, including reimbursement to Mecklenburg County for any

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and all expenses which may have incurred after the default such as construction expenses, staff time and attorney fees related to the project.

16-3524 CONSTRUCTION CONTRACT - EVERGREEN NATURE PRESERVE

Award a construction contract to United Construction Company, Inc. in the amount of \$569,690 for construction of the Evergreen Nature Preserve.

16-3525 BUDGET AMENDMENT - LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of \$132,176 from Plantation Falls, LLC and Park Sterling Bank as part of a default of bond obligation related to Plantation Falls Subdivision (Map 1) to complete the subdivision repairs according to the approved plans and carry forward the unspent balance until project is completed.

Note: Pursuant to the terms of the defaulted bond, Mecklenburg County will use the funds from the bond to complete the subdivision repairs according to the approved plans. The funds will be limited to paying for costs of repairs, including reimbursement to Mecklenburg County for any and all expenses which may have incurred after the default such as construction expenses, staff time and attorney fees related to the project.

16-3526 ENGINEER SELECTION FOR FISCAL YEARS 2017 AND 2018 FOR STREAM RESTORATION PROJECTS

Authorize the County Manager to negotiate fees and execute contracts with the following firms to complete the design of the Fiscal Years 2017 and 2018 Storm Water Stream Restoration Projects: Hazen and Sawyer, DPC; Kimley-Horn and Associates, Inc.; Stantec Consulting Services, Inc.; WLS Engineering, PLLC; and Wildlands Engineering, Inc.

16-3527 TAX REFUNDS

1) Approve refunds in the amount of \$18,646.86 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

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2) Approve refunds in the amount of \$5,883.11 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$180.55.

A list of the taxpayer recipients is on file with the Clerk to the Board.

16-3532 GRANT APPLICATION - KNIGHT CITIES CHALLENGE

Approve submission of new grant applications to the Knight Cities Challenge and if awarded, recognize, receive and appropriate funds for the amounts awarded for the duration of the grant period.

Note: The Knight Cities Challenge is a grant contest, funded by the Knight Foundation, which grants \$5 million each year among 26 cities. The Charlotte area has been awarded over \$300,000 over the past two years through this grant. The challenge is designed to help spur civic innovation at the County, City and neighborhood levels. In particular, they hope to generate ideas that focus on one or all of three key drivers of city success: attracting talented people, expanding economic opportunity and creating a culture of civic engagement. The initial application is open from October 10th to November 3rd. The Public Information Department plans to submit ideas that spur innovation and create opportunities for County residents to become more engaged and to promote the services provided by Mecklenburg County.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3504 GRANT APPLICATION - PROJECT CAREGIVER ALTERNATIVES TO RUNNING ON EMPTY (C.A.R.E.)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve Project C.A.R.E. application submittal and recognize, receive and appropriate Project C.A.R.E. funds in the amount awarded; and approve a full-time social worker position.

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Note: Project C.A.R.E. offers support to families acting as caregivers for family members with Alzheimer's disease or related dementia. The increased funding would provide vouchers for respite services and three additional full-time family consultants across the state. Funding would support a full-time social worker position to serve caregivers within our region.

Commissioner Leake removed this item from Consent for more public awareness.

16-3506 GRANT APPLICATION - HIV PREVENTION SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submittal of grant application for \$230,000 per year for three years from the North Carolina Division of Public Health Communicable Disease Branch for HIV Prevention services; and if awarded, recognize, receive and appropriate awarded funds for the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

16-3507 GRANT APPLICATION - RYAN WHITE PART A

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a grant application for \$7,000,000 in Ryan White Part A funds covering the period of March 1, 2017 through February 28, 2018 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) under the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Application due October 18, 2016) and if awarded, recognize, receive and appropriate awarded funds. Secondly, approve the allocation process involving regional participation in accordance with HRSA of the US Department of Health and Human Services guidelines.

Commissioner Leake removed this item from Consent for more public awareness.

16-3515 BUDGET AMENDMENT - DSS (REVENUE DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

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- A. Reduce Crisis Intervention Payment (CIP) federal revenue in the amount of \$201,553

Note: The North Carolina Division of Social Services (NCDSS) decreased the federal revenue allocation to Mecklenburg County for energy assistance by \$201,553. Funding is to assist low-income persons with heating or cooling needs through the year. The CIP program is contracted through Crisis Assistance Ministry.

- B. Reduce Low Income Energy Assistance & Crisis Intervention Payments Administration (LIEAP/CIP) federal revenue in the amount of \$33,111

Note: The North Carolina Division of Social Services (NCDSS) federal revenue for Low Income Energy Assistance & Crisis Intervention Payments Administration (LIEAP/CIP) decreased by \$33,111 the allocation for Mecklenburg County Department of Social Services (DSS) which will assist the County in administering the energy payments.

- C. Reduce Services Block Grant (SSBG) funds in the amount of \$25,514 of federal revenue

Note: The North Carolina Division of Social Services (NCDSS) decreased the federal revenue allocation to Mecklenburg County by \$25,514. This funding is for services for eligible seniors and disabled clients.

- D. Recognize, receive and appropriate Home and Community Care Block Grant (HCCBG) federal revenue in the amount of \$114,221

Note: The North Carolina Division of Aging and Adult Services provided a revenue allocation increase for Mecklenburg County of \$114,221. The Centralina Council of Governments (CCOG) and Mecklenburg County Department of Social Services entered into a contractual agreement to provide services for the elderly and disabled citizens of Mecklenburg County. A 10% County match, which is currently included in the Fiscal Year 2017 operating budget, is required for the support of this program.

Commissioner Leake removed this item from Consent for more public awareness.

16-3521 CAPITAL RESERVE EXPENDITURE - NATURAL AREAS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize expenditure of up to \$20,000 from the Natural Areas

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Capital Reserve Account (5823) for management activities associated with natural community restoration including purchase of native seed and trees, herbicide and contract labor.

Note: Project areas include Winget, Sherman Branch, Clarks Creek and Gar Creek nature preserves.

Commissioner Leake removed this item from Consent for more public awareness

16-3533 CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FY2016-2017 ADOPTED BUDGET

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve Charlotte-Mecklenburg Schools Budget Amendment.

Note: The Board of Education is requesting approval of changes in the allocation of the County appropriation by purpose and function of the amount included in the Board of County Commissioners (BOCC) budget resolution on June 21, 2016. As part of the adopted FY2017 County budget, the BOCC approved a total operating funding level of \$413,493,792 for Charlotte-Mecklenburg Schools (CMS). The purpose/function code allocation in the County's budget ordinance is a placeholder based on a proportional allocation of funds while CMS determines how it will actually allocate all available funds (e.g., State, Federal). The BOCC is required to approve any reallocation of funds submitted by the Board of Education (BOE) that exceeds ten percent within the purpose/function code categories of the approved County appropriation.

Commissioner Puckett removed this item from Consent for more public awareness.

A copy of the budget amendment is on file with the Clerk to the Board.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:57 p.m.

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Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, October 4, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Vilma D. Leake, Jim Puckett, Matthew Ridenhour,
and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

-INFORMAL SESSION-

Commissioners Cotham, Puckett, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3535, 16-3544, 16-3548, 16-3555, 16-3556, and 16-3558 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION –

16-3554 CONSULT WITH ATTORNEY
16-3563 LAND ACQUISITION
16-3564 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Bethune announced the following land acquisition matter to be discussed in Closed Session: Tax Parcel 113-341-07.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 5-0 with Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough voting yes, to go into Closed Session for the following purposes: Consult with Attorney, Land Acquisition, and Business Location and Expansion.

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 5:51 p.m.

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Commissioners Puckett and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

16-3552 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Jeanie Welch invited the Board and the public to attend the 16th Annual Huntersville Fall Community Extravaganza on Saturday, October 22, 2016, 7:30 a.m. – 2:00 p.m. at Huntersville United Methodist Church, 14005 Stumptown Road.

Rev. Chrissy Williamson invited the Board and the public to attend an event being sponsored by the Charlotte Clergy Coalition for Justice, whose focus is on racial justice, education equality, justice for the LGBT community and environmental justice. The event will be held November 11-13, 2016. *(The location was not given.)* It was noted that the Coalition had worked on a process for over a year called “CORE,” Commission On Reconciliation and Equality. Rev. Williamson said in light of recent protest events in the community, the Coalition felt it was time to bring the process forward. The event will involve a series of conversations followed up with opportunities for policy conversations to make change. It will be an educational event focusing on dismantling racism and implicit bias training. Rev. Williamson said the goal was to get the community speaking with the policy makers.

Andrew Fede addressed ideas for improving policing and transparency, in light of recent protest events in the community. Mr. Fede said he was very familiar with criminal justice reform efforts. He said the following needed to occur: 1) HB972 should be repealed or amended; 2) an independent investigation agency on police involved shootings should be formed, something different from the SBI; 3) improved reporting requirements showing more demographic information, not only with fatalities, but in general, for example, who was being stopped by the police and where; and 4) increase diversity on the police force, up to 25% within five years, over 30% in ten years.

Commissioner Dunlap noted for the public’s awareness that Charlotte City Council had the governing authority over the Charlotte-Mecklenburg Police Department.

Commissioner Leake thanked Mr. Fede for appearing and bringing his ideas forward.

APPOINTMENTS

16-3537 NOMINATIONS/APPOINTMENTS

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Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Fuller, Dunlap, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Glenn Berry to the Building Development Commission as the American Institute of Architects (AIA) representative for a three-year term expiring July 31, 2019.

Note: He replaced Chad Askew who served three years as the AIA representative.

PUBLIC HEARINGS

16-3539 STREET LIGHTING FINAL ASSESSMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Fuller, Dunlap, Leake, Puckett, Ridenhour, and Scarborough voting yes to:

- A) Acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.
- B) Open the public hearing on Assessment Rolls for Mecklenburg County's participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

No one appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Fuller, Dunlap, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on Assessment Rolls for Mecklenburg County's participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions and adopt Final Assessment Resolution for Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CAPPS HOLLOW SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on streets in the Capps Hollow Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted Final Assessment Resolutions on this project on September 2, 1997, and November 6, 2002, approving both projects for Sections 1 & 2 and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all streets in the Capps Hollow Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2,090.31 to Duke Power Company for charges incurred for the operation of these street lights in the Capps Hollow Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,390.31 spent for the operation of the street lights in the Capps Hollow Subdivision during the 2016 Fiscal Year; and

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WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the proposed term of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2016 Fiscal Year in the Capps Hollow Subdivision, and requests the Mecklenburg County Land Use and Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2016 Fiscal Year which is \$2,390.31.

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CARDINAL WOODS SUBDIVISION AND CARDINAL WOODS ESTATE
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on streets within the Cardinal Woods Subdivision and Cardinal Woods Estate; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 20, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate, and providing that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$5,985.51 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2016 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$6,285.51 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate where the acorn street lighting fixtures are located; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has prepared the Final Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Final Assessment Roll and map are attached hereto and incorporated herein by reference; and

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WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2016 Fiscal Year in the Cardinal Woods Subdivision and Cardinal Woods Estate, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2016 Fiscal Year which is \$6,285.51.

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
HEARTHSTONE SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Hearthstone Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on January 19, 1993, approving the project and requesting that Duke Power Company install and operate the street lighting fixtures on all streets in the Hearthstone Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2,515.84 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,815.84 spent for the operation of the street lights in the Hearthstone Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made by the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during 2016 Fiscal Year in the Hearthstone Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2016 Fiscal Year, which is \$2,815.84.

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**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
McGINNIS VILLAGE SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on all of the streets in the McGinnis Village Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 5, 1999, approving the project and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all of the streets in the McGinnis Village Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$3,345.58 to Duke Power Company for charges incurred for the operation of these street lights in the McGinnis Village Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$3,645.58 spent for the operation of the street lights in the McGinnis Village Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2016 Fiscal Year in the McGinnis Village Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2016 Fiscal Year which is \$3,645.58.

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 3, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Subdivision and that the monthly charges would be

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paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$6,240.23 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$6,540.23 spent for the operation of the street lights in the Mountain Point Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the proposed term of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2016 Fiscal Year in the Mountain Point Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2016 Fiscal Year which is \$6,540.23.

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT ESTATES SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Estates Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 1, 2000, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Estates Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2,141.22 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,441.22 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2016 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

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WHEREAS, the proposed term of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2016 Fiscal Year in the Mountain Point Estates Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2016 Fiscal Year which is \$2,441.22.

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on the streets within the Royal Oaks Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 6, 1996, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Royal Oaks Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has been billed a total of \$3,211.97 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2016 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$3,511.97 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owners share of the total cost to operate these street lighting fixtures during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for the assessment the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting

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Assessment Project for the street lighting operation costs during 2016 Fiscal Year in the Royal Oaks Subdivision and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners of these operation costs which is \$3,511.97.

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
SPICEWOOD SUBDIVISION
OPERATION COSTS FY 2016**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Spicewood Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on October 5, 1992, approving the project and requesting that Duke Power Company install and operate the street lights on all streets in the Spicewood Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$1,759.90 to Duke Power Company for charges incurred for the operation of these street lights in the Spicewood Subdivision during the 2016 Fiscal Year plus \$300 in legal and other costs for a total of \$2,059.90 for the operation of the street lights in the Spicewood Subdivision during the 2016 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost for the operation of the street lights during the 2016 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County; and

WHEREAS, the method of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Service Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 04, 2016 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2016 Fiscal Year in the Spicewood Subdivision, and requests the Mecklenburg County Land Use and Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2016 Fiscal Year which is \$2,059.90.

Resolutions recorded in full in Minutes/Ordinance Book _____, Documents # _____, _____, _____, _____, _____, and _____.

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Motion was made by Commissioner Dumont Clarke, seconded by Commissioner Ella B. Scarborough and carried 7-0 with Commissioners Clarke, Fuller, Dunlap, Leake, Puckett, Ridenhour, and Scarborough voting yes to open the public hearing.

At 6:35 p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), of its Recreational Facilities Revenue Refunding Bonds (Young Men's Christian Association of Greater Charlotte), Series 2016 (the "*2016 Bonds*"), in an aggregate principal amount not to exceed \$52,000,000, the proceeds of which will be loaned to the Young Men's Christian Association of Greater Charlotte (the "*Borrower*") for the following purposes:

(1) to refinance the costs of certain existing projects owned and operated by the Borrower and more particularly described in the attached Exhibit A as the 1996 Project, the Prior Project and the 2007 Project;

(2) (i) finance the construction of a new parking deck on land adjacent to the Borrower's Dowd Branch in Charlotte, North Carolina, located at 400 E Morehead St., Charlotte, NC 28202, (ii) finance the construction and equipping of a 33,000 square foot addition to the Borrower's Dowd Branch as well as certain interior renovations thereto, and (iii) reimburse the Borrower for certain costs incurred with the acquisition, construction and equipping of Sara's YMCA Branch located in 15940 Brixham Hill Ave., Charlotte, NC 28277, all located within the County (collectively, the "*New Projects*"); and

(3) to pay certain costs incurred in connection with the issuance of the 2016 Bonds;

The portion of the 1996 Project, the Prior Project, the 2007 Project and the New Projects, located within the County are located at 3127 Weddington Road, Matthews, NC 28106, 8100 Old Mallard Creek Road, Charlotte, NC 28262, 3025 N. Davidson St., Charlotte, NC 28205, 5900 Quail Hollow Road, Charlotte, NC, and 400 E. Morehead Street, Charlotte, NC, 14825 John J. Delaney Drive Suite 190 Charlotte, NC 28277, 3801 Beatties Ford Road, Charlotte, NC 28216, 15940 Brixham Hill Ave., Charlotte, NC 28277 and will be owned and operated by the Borrower.

On September 19, 2016, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached as Exhibit A, setting forth a general, functional description of the type and use of the facilities to be refinanced, the maximum principal amount of the 2016 Bonds, the initial owner and operator of the facilities and the location of the facilities, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the 2016 Bonds or who responded in writing to the notice of public hearing are as follows: **[None]**

The Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found.

After the Board had heard all persons who had requested to be heard, Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Ella B. Scarborough and was adopted 7-0 with Commissioners Clarke, Fuller, Dunlap, Leake, Puckett, Ridenhour, and Scarborough voting yes.

Commissioner George Dunlap introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG,
NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS
RECREATIONAL FACILITIES REVENUE REFUNDING BONDS (YOUNG MEN'S CHRISTIAN
ASSOCIATION OF GREATER CHARLOTTE), SERIES 2016 IN AN AGGREGATE PRINCIPAL
AMOUNT NOT TO EXCEED \$52,000,000**

WHEREAS, the Young Men's Christian Association of Greater Charlotte (the "*Borrower*"), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), issue its Recreational Facilities Revenue Refunding Bonds (Young Men's Christian Association of Greater Charlotte), Series 2016 (the "*2016 Bonds*"), in an aggregate principal amount not to exceed \$52,000,000 for the following purposes:

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(1) to refinance the costs of certain existing projects owned and operated by the Borrower and more particularly described in the attached Exhibit A as the 1996 Project, the Prior Project and the 2007 Project;

(2) (i) finance the construction of a new parking deck on land adjacent to the Borrower's Dowd Branch in Charlotte, North Carolina, located at 400 E Morehead St., Charlotte, NC 28202, (ii) finance the construction and equipping of a 33,000 square foot addition to the Borrower's Dowd Branch as well as certain interior renovations thereto, and (iii) reimbursing the Borrower for certain costs incurred with the acquisition, construction and equipping of Sara's YMCA Branch located in 15940 Brixham Hill Ave., Charlotte, NC 28277, all located within the County (collectively, the "New Projects" and together with the 1996 Project, the Prior Project and the 2007 Project, the "Projects"); and

(3) to pay certain costs incurred in connection with the issuance of the 2016 Bonds;

WHEREAS, the Projects are owned and operated by the Borrower. The proceeds of the 2016 Bonds will be used by the Borrower to refinance the 1996 Project, the Prior Project and the 2007 Project and acquire the New Projects.

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the 2016 Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the area in which the Project is located, after a public hearing held following reasonable public notice;

WHEREAS, the Board of Commissioners (the "Board") of the County of Mecklenburg, North Carolina (the "County") is the "applicable elected representative" of the County for the Project located within the County;

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the 2016 Bonds and the refinancing and financing of the Projects located within the County in order to satisfy the requirements of Section 147(f) of the Code; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the "TEFRA Notice"), held a public hearing today regarding the Authority's issuance of the 2016 Bonds and the financing of the Project and now desires to approve the Authority's issuance of the 2016 Bonds and the financing of the Project in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of Section 147(f) of the Code, the Board hereby approves (a) the Authority's issuance of the 2016 Bonds in an aggregate principal amount not to exceed \$52,000,000 and (b) the financing and refinancing of the Projects located in the County.

Section 2. The County has no responsibility for the payment of the principal of or interest on the 2016 Bonds or for any costs incurred by the Borrower with respect to the 2016 Bonds or the Project.

Section 3. This resolution is effective immediately on its passage.

On motion of Commissioner George Dunlap, seconded by Commissioner Ella B. Scarborough, the foregoing resolution entitled "RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS RECREATIONAL FACILITIES REVENUE REFUNDING BONDS (YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER CHARLOTTE), SERIES 2016 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$52,000,000" was duly adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Resolution/Extracts recorded in full in Minutes/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3561 SET PUBLIC HEARING - PROPOSED HEALTH DEPARTMENT RULE GOVERNING

RECREATIONAL WHITEWATER SYSTEMS

The Board received an update on proposed Health Department Rule Governing Recreational Whitewater Systems from Medical Director Stephen Keener, Mecklenburg County Health Department. He was joined at the podium by Lisa Corbett, also with the Health Department.

Note: Mecklenburg County Health Department (MCHD) and North Carolina Department of Public Health (NCDPH) officials received notification on June 21, 2016 from the Centers for Disease Control and Prevention (CDC) that the June 19, 2016 death of an Ohio resident, who recently visited the U.S. National Whitewater Center (USNWC), suspected cause of death was attributed to an infection caused by Naegleria Fowleri (Primary Amebic Meningoencephalitis). Based on exposure information, the CDC, MCHD and NCDPH completed a site visit and collected water and sediment samples within the whitewater system at the USNWC on June 22, 2016. All 11 samples were positive for Naegleria Fowleri. The whitewater system voluntarily closed on June 24, 2016. The whitewater system is not a regulated facility. The water within the whitewater system went through chlorine treatment before discharge. The sediment was removed and the facility was cleaned. The facility was refilled with Charlotte Water and the treatment system was enhanced to include continuous chlorination and ozonization. The system reopened to the public on August 10, 2016. Health department staff monitored the treatment system for free chlorine and sediment accumulation weekly in August and September. The USNWC has continued to modify and test treatment options with the goal of consistently maintaining free chlorine levels throughout the system and minimizing sediment accumulation. Mecklenburg County Health Department proposes a local regulation with the purpose of creating an environment that is not hospitable to potentially pathogenic microorganisms (Naegleria Fowleri) to protect the health and safety of citizen's utilizing the whitewater system in Mecklenburg County.

Comments

Commissioner Cotham entered the meeting.

Commissioner Leake requested the cost incurred by the County in assisting the Whitewater Center with resolving this issue. She expressed concern that this was done for a "private business."

Commissioner Leake noted that no one from the Whitewater Center had appeared before the Board to officially thank the County for its assistance.

Commissioner Puckett said the County incurred costs but that it was done on behalf of the citizenry for public health reasons. He said assistance would be provided to any company that had a public health risk occurrence impacting the citizenry or the environment.

Commissioner Puckett spoke in support of the proposed health rules governing whitewater systems.

Commissioner Dunlap said the County's involvement was because of the County's role in protecting the health and safety of its residents.

Commissioner Dunlap asked whether Whitewater officials expressed opposition to the proposed regulations. Ms. Corbett said they weren't pleased with everything, but were in agreement and had been very cooperative.

Commissioner Leake said she was glad the Health Department looked into the matter, but still questioned why someone from Whitewater hadn't appeared before the Board.

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Commissioner Puckett said he received an email from Whitewater officials and assumed all Board members did.

Commissioner Leake said the Whitewater Center was in District Two, her district, and that she wanted the Center to be more affordable for residents of District Two.

County Manager Diorio said the cost to the County for its involvement at the Whitewater Center was \$109,000.

Rick Rayburn appeared on behalf of the Whitewater Center and expressed thanks to the Board for the County's assistance.

Mr. Rayburn noted for the record that the Whitewater Center was not a private business but a non-profit.

Chairman Fuller thanked Mr. Rayburn for appearing.

Chairman Fuller spoke in support of the proposed regulations. He said the County's involvement was for the protection of the public's health.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to schedule a public hearing on the proposed Board of Health Rule "Governing Recreational Whitewater Systems" located in Mecklenburg County on October 18, 2016 at 6:30 p.m. and instruct the Clerk to the Board to publish a notice of intent to consider the rule.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

16-3545 PEARL STREET PARK IMPROVEMENT AND PEARL PARK WAY EXTENSION PROJECT

The Board received an overview of the Pearl Street Park Improvement and Pearl Park Way Extension Project from Director of Economic Development Peter Zeiler.

A copy of the presentation is on file with the Clerk to the Board.

Chairman Fuller recognized persons that signed up to speak to this matter.

The following persons spoke in support of moving forward with the project: Maren Brisson-Kuester, president of the Charlotte Regional Realtors Association, Jason Gentry, treasurer of the Charlotte Regional Realtors Association and a resident of the Midtown neighborhood, Peter Pappas, CEO of Pappas Properties, and Roger Parham, president-elect of the Charlotte Regional Realtors Association.

Commissioner Scarborough left the dais and was absent for the remainder of the meeting.

The following persons spoke in opposition of moving forward with the project as presented. They expressed concern for 1) the number and size of fields that would be available, 2) lighting and parking, 3) location of the road, and 4) the construction timeline.

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They asked the Board to 1) make children athletics a priority, 2) look for opportunities to acquire new land for parks and fields or expand existing parks and fields in the area served by Myers Park Trinity Little League, 3) to table the matter until it was known for sure that the various contingencies that were to occur in Phase 2 were guaranteed before Phase 1, including the shortfall in funding, and 4) review the compromise plan that was provided. The speakers were: Rich Little, president of the Myers Park Trinity Little League, Nyki Simmons, Myers Park Trinity Little League board member and soft ball coordinator, Debbie Wallace, volunteer administrator for Charlotte Junior Soccer Association, and Ken Rayburn, president of Charlotte Junior Soccer Association.

Comments

Commissioner Dunlap asked about storm water fees and could they be used for the stream restoration. *Director of Park and Recreation Jim Garges said funds from the park plan would be used.*

Commissioner Dunlap spoke in support of the project as presented.

Commissioner Dunlap said he understood the concerns expressed, but that the changes and amenities that would be made would benefit the community as a whole. He suggested Park and Recreation consider establishing new fields, in light of the growth that's occurring throughout the community and in light of the limited field access within the inner city. He suggested partnering with other entities, noting a partnership that occurred between an athletic association and Charlotte-Mecklenburg Schools.

Director Garges addressed playing fields. He also commented on the benefits of the proposed project and the County's commitment.

Commissioner Ridenhour asked about lighting. *Director Garges said the existing lighting did not meet current code requirements. He said the existing lights would be replaced and that fields would still be accessible while construction was taking place. Director Garges said the new lighting would be better than what was currently there.*

Commissioner Ridenhour asked about Charlotte's Department of Transportation (CDOT) plans for the road, including the speed limit and speed bumps. *Director Garges said the speed limit would probably be 25 mph, but that he would follow up with the City for a more definite answer.*

Commissioner Ridenhour asked would the same amenities remain even if the land swap with the Charlotte Housing Authority (CHA) fell through. *Director Garges said yes.*

Commissioner Puckett said he understood the concerns expressed, but he was supportive of the project as presented. He said he felt all of the concerns would be addressed through this process.

Commissioner Leake said she was supportive of the project because it would improve the community.

Commissioner Cotham spoke in support of the project and expressed confidence in Peter Pappas, the developer. She said she was glad to see the project being developed by a local developer.

Commissioner Clarke said it was important that everything that could be done, be done, to "calm" the traffic in this area.

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Commissioner Clarke expressed thanks to Thompson Family Services and the Episcopal Diocese of N.C. He asked had either entity changed their position, in light of all the discussions that had taken place. *County Manager Diorio said they had not.*

Commissioner Clarke asked about the \$2 million contingency, if the sell to CHA didn't take place. *County Manager Diorio said the project would be built into the County's capital plan. She said pay-go would be used or existing park bond authorization that hadn't been used.*

Commissioner Clarke thanked Myers Park Trinity Little League and Charlotte Junior Soccer for their work in the community and for letting their concerns be known.

Commissioner Ridenhour assured Myers Park Trinity Little League and Charlotte Junior Soccer and other concerned residents that their concerns were heard. He said many of those concerns helped shape the proposed project. He thanked residents for their input.

Chairman Fuller asked would the County be responsible for all of the park maintenance once everything was completed. *The response was yes.*

Chairman Fuller asked what would be the net difference in land area once everything was completed compared to what it was currently. *Director Zeiler said Pearl Street Park would go from about 8.99 acres to nearly 11 acres. He said the County would lose 0.8 acres of open green space.*

Chairman Fuller thanked everyone for their participation in this process, including Thompson Family Services and the Episcopal Diocese of N.C.

Chairman Fuller spoke in support of moving forward. He noted that Pearl Street Park was a part of the old Brooklyn neighborhood. He said there's plaque on a stone in the park marking the history of African Americans in that part of the community.

Note: The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to adopt the following resolutions to approve various elements of the Pearl Street Park Improvement and Pearl Park Way Extension Project:

A. Resolution Approving Land Transactions Between City and County for Pearl Park Way Extension

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING LAND EXCHANGES
BETWEEN CITY AND COUNTY FOR
PEARL PARK WAY EXTENSION**

WHEREAS, Pappas Properties and Terwilliger Pappas (collectively, "Pappas") is planning a new mixed use development adjacent to the County's Pearl Street Park, (the "Park") which development includes an extension of Pearl Park Way along the edge of the Park to connect to Baxter Street consistent with the City of Charlotte's approved transportation plan, and which will also include improvements to the Park; and

WHEREAS, the redevelopment plan calls for a series of property transactions among Pappas, the City of Charlotte (the "City"), Mecklenburg County (the "County") and the Charlotte Housing Authority ("CHA"); and

WHEREAS, the purpose of this Resolution is to describe, and for the Board of County Commissioners to approve, the land transactions between the City and the County, and a subsequent land transaction between the City and Pappas; and

WHEREAS, the proposed land transactions (including the creation and recording of any necessary

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subdivisions plats, etc.) among the City, the County and Pappas are to enable creation of new right-of-way for Phases 1 and 2 of Pearl Park Way Extension, and the creation of remnant parcels to be sold to Pappas by the City, including payment to the County by the City of proceeds from the sale to Pappas of the remnant parcels, as more fully described in **Attachment A**; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager to negotiate and execute all documents (including deeds and subdivision plats) necessary to enable creation of new right-of-way for Phases 1 and 2 of Pearl Park Way Extension, the transfer of property to the City for the new right-of-way for Pearl Park Way Extension, and the creation of remnant parcels to be sold to Pappas by the City, including payment to the County by the City of proceeds from the sale of the remnant parcels, as more fully described in **Attachment A**.

B. Resolution Authorizing Rezoning Applications for Remnant Parcels

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING
REZONING APPLICATIONS FOR REMNANT PARCELS**

WHEREAS, Pappas Properties and Terwilliger Pappas (collectively, “Pappas”) is planning a new mixed use development adjacent to the County’s Pearl Street Park, (the “Park”) which development includes an extension of Pearl Park Way along the edge of the Park to connect to Baxter Street consistent with the City of Charlotte’s approved transportation plan, and which will also include improvements to the Park; and

WHEREAS, the redevelopment plan calls for a series of property transactions among Pappas, the City of Charlotte (the “City”), Mecklenburg County (the “County”) and the Charlotte Housing Authority (“CHA”); and

WHEREAS, the proposed land transactions (including the creation and recording of any necessary subdivisions plats, etc.) among the City, the County and Pappas are to enable creation of new right-of-way for Phases 1 and 2 of Pearl Park Way Extension, and the creation of remnant parcels to be sold to Pappas by the City, including payment to the County by the City of proceeds from the sale of the remnant parcels, as more fully described in **Attachment A**; and

WHEREAS, the purpose of this Resolution is to describe, and for the Board of County Commissioners to approve and authorize the County Manager to acquiesce in and to support any rezoning applications filed by Pappas for the remnant parcels as described in **Attachment B** that might be submitted prior to completion of the land transactions between the City and the County, and a subsequent land transaction between the City and Pappas; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager to acquiesce in and to support any rezoning applications filed by Pappas for the remnant parcels as described in **Attachment B** that might be submitted prior to completion of the land transactions between the City and the County, and a subsequent land transaction between the City and Pappas, or after such transactions, as more fully described in **Attachment A**.

C. Resolution Authorizing Negotiation of Interlocal Agreement with City to Support Infrastructure Reimbursement Agreement

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING NEGOTIATION OF
INTERLOCAL AGREEMENT TO SUPPORT
INFRASTRUCTURE REIMBURSEMENT AGREEMENT**

WHEREAS, Pappas Properties and Terwilliger Pappas (collectively, “Pappas”) is planning a new mixed use development adjacent to the County’s Pearl Street Park, (the “Park”) which development includes an extension of Pearl Park Way along the edge of the Park to connect to Baxter Street consistent with the City of Charlotte’s approved transportation plan, and which will also include improvements to the Park; and

WHEREAS, pursuant to proposed agreements between the City and Pappas, Pappas is to be responsible for making infrastructure improvements as described in **Attachment A**, including the construction of the Pearl Park Way Extension up to Baxter Street and a multi-use path on the Park side of the new street; and

WHEREAS, the proposed infrastructure reimbursement agreement (or TIG agreement) between the City and Pappas will provide for the City to pay Pappas a tax increment grant equal to 45% of the increase in ad valorem taxes from the area to be developed by Pappas (Increment Area) to reimburse Pappas for its construction of the

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infrastructure improvements, and an Interlocal Agreement between the City and the County would provide for the County to pay to the City (for City payment to Pappas) 45% of the increase in County ad valorem taxes from the Increment Area as more fully described in **Attachment A** (this mechanism being similar to what the City and County did for the Ballantyne area road improvements and for the Outlet Mall road improvements); and

WHEREAS, the purpose of this Resolution is to describe, and for the Board of County Commissioners to approve the proposed construction by Pappas of the infrastructure improvements, the proposed infrastructure reimbursement agreement between the City and Pappas, and the proposed Interlocal Agreement between the City and the County pursuant to which the County would pay the City 45% of the increase in County ad valorem taxes from the Increment Area as more fully described in **Attachment A**; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes and directs the County Manager to negotiate an Interlocal Agreement with the City of Charlotte to support a City infrastructure reimbursement agreement with Pappas as described in the attached **Attachment A**, and to bring back to the Board at a future meeting a resolution to approve the Interlocal Agreement once the Agreement has been negotiated and drafted.

D. Resolution Authorizing Land Exchange with Charlotte Housing Authority and Authorizing Filing Rezoning Petitions

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION CONCEPTUALLY APPROVING LAND TRANSACTIONS
BETWEEN CHARLOTTE HOUSING AUTHORITY AND
COUNTY FOR PEARL PARK WAY EXTENSION
AND PEARL STREET PARK EXPANSION
AND AUTHORIZING FILING REZONING PETITIONS**

WHEREAS, Pappas Properties and Terwilliger Pappas (collectively, “Pappas”) is planning a new mixed use development adjacent to the County’s Pearl Street Park, (the “Park”) which development includes an extension of Pearl Park Way along the edge of the Park to connect to Baxter Street consistent with the City of Charlotte’s approved transportation plan, and which will also include improvements to the Park; and

WHEREAS, the redevelopment plan calls for a series of property transactions among Pappas, the City of Charlotte (the “City”), Mecklenburg County (the “County”) and the Charlotte Housing Authority (“CHA”); and

WHEREAS, the proposed land transactions between the CHA and the County are as follows:

- a. Subject to applicable federal regulations, the Charlotte Housing Authority will convey to Mecklenburg County a portion of the property located at 1000 Baxter Street (Parcels #9 and 10 on the attached **Exhibit A**) which will be utilized for the expansion of Pearl Street Park and the creation of new street right of way for the extension of Pearl Park Way to Baxter Street substantially as illustrated on **Exhibit A** (“Pearl Park Way Extension”).
- b. Mecklenburg County will convey to the Charlotte Housing Authority in an equal exchange of value, a portion of the Baxter Street Park property (Parcel #7 on the attached **Exhibit A**) suitable for the development of new housing. In addition, the Charlotte Housing Authority may elect to purchase from Mecklenburg County the adjacent parcel (Parcel #8 on the attached **Exhibit A**) for the development of new housing; and

WHEREAS, the CHA staff and County staff have been negotiating the details of the proposed exchange and have generally agreed on the areas to be swapped, but have not yet reached agreement on land values to use for the land exchange (CHA Parcels # 9 and 10 for County Parcel #7) or for the possible sale by the County to CHA of County Parcel # 8); and

WHEREAS, the purpose of this Resolution is to describe, and for the Board of County Commissioners to **conceptually** approve the above described land transactions between the County and CHA, and to authorize the County Manager to continue negotiations with CHA on land values for the land transaction and other details of such transactions, including filing a petition or petitions to rezone Parcels #7 and #8 to the MUDD rezoning category (or any other category that might be determined to be necessary) that CHA needs in order to approve the land exchange for County Parcel #7, and if CHA desires to purchase Parcel #8, CHA needs to be able approve its purchase of County Parcel # 8; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager to negotiate land values and other details of the land exchange described above, and the possible sale described above, both as illustrated in the attached **Exhibit A**, to file a rezoning petition or petitions for County Parcels #7 and #8 as needed by CHA, and to negotiate and bring back to the Board for its consideration any agreements negotiated with CHA for the land exchange and the possible CHA purchase of Parcel #8.

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E. Resolution Authorizing Agreement with Thompson Child & Family Focus and Episcopal Diocese for release of deed restrictions on original Pearl Park parcel

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING AGREEMENT WITH
THOMPSON CHILD & FAMILY FOCUS AND EPISCOPAL DIOCESE
FOR RELEASE OF DEED RESTRICTIONS ON
ORIGINAL PEARLE STREET PARK PARCEL**

WHEREAS, Pappas Properties and Terwilliger Pappas (collectively, “Pappas”) is planning a new mixed use development adjacent to the County’s Pearl Street Park, (the “Park”) which development includes an extension of Pearl Park Way along the edge of the Park to connect to Baxter Street consistent with the City of Charlotte’s approved transportation plan, and which will also include improvements to the Park; and

WHEREAS, the redevelopment plan calls for a series of property transactions among Pappas, the City of Charlotte (the “City”), Mecklenburg County (the “County”) and the Charlotte Housing Authority (“CHA”); and

WHEREAS, one of the proposed land transactions is for the County to transfer some property along the edge of the Park closest to the Pappas project to the City to allow the City to create new right-of-way for the Pearl Park Way Extension, which transfer will also create remnant parcels to be sold to Pappas by the City (with the funds from that sale to be paid by the City to the County as more fully described in a Resolution entitled: RESOLUTION APPROVING LAND EXCHANGES BETWEEN CITY AND COUNTY FOR PEARL PARK WAY EXTENSION; and

WHEREAS, the 1943 deed for the original Pearle Street Park from the Trustees of the Protestant Episcopal Church in the Diocese of North Carolina (the “Diocese”) and the Thompson Orphanage and Training Institution, now Thompson Child & Family Focus (“Thompson”) placed the requirement that a fifty foot (50’) vegetative buffer be maintained along the western boundary of that Park parcel (the “Buffer Requirement”), which area includes the property to be transferred to the City, as well as a right of repurchase for \$2,500 should the property conveyed in that deed cease being used for park purposes (the “Right of Repurchase”); and

WHEREAS, the County Manager has negotiated with the Diocese and Thompson the removal of the Buffer Requirement and the Right of Repurchase on the property to be transferred to the City on the terms outlined in **Exhibit A**; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager to negotiate and execute all documents with the Diocese and Thompson for the removal of the Buffer Requirement and the Right of Repurchase on the property to be transferred to the City on the terms outlined in **Exhibit A**.

Resolutions recorded in full in Minutes/Ordinance Book _____, Documents # _____, _____, _____, _____, and _____.

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

POINT OF PERSONAL PRIVILEGE

Commissioner Dunlap asked for a point of personal privilege.

Commissioner Dunlap said a couple of meetings ago the Board made a decision regarding the selection of a chairman for the Alcoholic Beverage Control Board. He said one its members, Ms. Jennifer Stanton, felt that she was “defamed,” when that discussion was held. Commissioner Dunlap said he “wanted to say publically that there was no intent to defame anybody.” He said “the discussion was held because members had questions and relied on information it had received in making that decision.” He said “if Ms. Stanton felt defamed, we want to sincerely apologize for having that discussion in public session, but that is one of the requirements of our local boards and that is to have open discussion.”

16-3563 CLOSED SESSION - LAND ACQUISITION – ISWA NATURE PRESERVE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 113-341-07 (± 1.2 acres) from Crescent Communities, LLC in the extra-territorial jurisdiction of the City of Charlotte for \$6,500.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to approve the following item(s):

16-3543 BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)

1. Recognize and appropriate \$210,571 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

2. Recognize and appropriate \$ 78,736 from Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

3. Recognize and appropriate \$326,300 from concealed handgun permit fees to the Sheriff's Office Special Revenue Fund.

Note: The Sheriff's Office share of all funds resulting from the issuance of concealed carry permits will be used for law enforcement purposes only. These funds will be used for the purchase of supplies and equipment as necessary.

16-3547 FLEET AUCTION REVENUE

Authorize transfer of \$10,600 from Fleet Reserve Fund to the General Fund and appropriate for the Department of Social Services.

Note: During the Spring fleet auction, the Department of Social Services sold five vehicles that were funded by the North Carolina Department of Transportation. Regulations require the sales proceeds be used by the Department of Social Services' transportation unit. This amount, \$10,600, represents the DSS proceeds from that sale.

16-3549 GRANT APPLICATION - NC DEQ - LUESA AIR QUALITY

Approve Mecklenburg County Air Quality's submission of a grant application in the amount of \$70,000 from the North Carolina Department of Environmental Quality (NCDEQ) for the administration of the "Charlotte Air Awareness Program," and if awarded, recognize, receive

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and appropriate the grant funds; and authorize the carry-forward of all unspent funds until expended.

16-3550 STORM WATER PROGRAM - FY17 VACANT FLOODPLAIN LAND ACQUISITION

Accept the Offer of Sale of Real Estate from Lorraine Foxworth, owner of property located at Prince Street, Charlotte, NC (tax parcel 069-071-08), for \$11,400.

Note: The referenced vacant parcel acquisition will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcel as floodplain open space which reduces future flood risk.

16-3551 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$300 for Asset and Facility Management and \$1,989 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3553 MINUTES

Approve Minutes of Regular meeting held September 20, 2016.

16-3559 TAX REFUNDS

Approve refunds in the amount of \$49,983.14 and interest as statutorily required to be paid as requested by the County Assessor Staff Contact: Debbie Shoff, County Assessor's Office.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$1,580.82.

A list of the refund recipients is on file with the Clerk to the Board.

**16-3560 SET PUBLIC HEARING - NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
COMMUNITY TRANSPORTATION GRANT APPLICATION**

Schedule a public hearing on October 18, 2016 at 6:30 p.m. to receive comments on the Mecklenburg County Department of Social Services' application for the North Carolina Department of Transportation's Community Transportation Grants for Fiscal Year 2017-2018; and authorize the Clerk to the Board to publish Notice of Intent to hold public hearing.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3535 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes,

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to recognize, receive and appropriate for the grant period, \$240,000 for the fifth year of a five-year grant funded by Substance Abuse and Mental Health Services Administration (SAMHSA) Grant.

Commissioner Leake removed this item from Consent for more public awareness.

16-3544 BUDGET AMENDMENT - SHERIFF'S OFFICE - U.S. DEPARTMENT OF JUSTICE – 2016 JUSTICE ASSISTANCE GRANT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to recognize, receive and appropriate funds from the U.S. Department of Justice, Justice Assistance Grant (JAG), in the amount of \$123,255 for the grant period.

Note: Federal grant will fund public safety initiatives and crime prevention programs.

Commissioner Leake removed this item from Consent for more public awareness.

16-3548 DONATIONS TO PARALYMPIC SPORTS CLUB (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to accept and appropriate the following donations, as part of BP Oil's Fueling Communities initiative, to the Paralympic Sports Club - Metrolina, a program of Mecklenburg County Park and Recreation/Therapeutic Recreation Section, to enhance the program for the community:

1. \$250 from United Oil of the Carolina's
2. \$73 from Times Oil Corp.
3. \$463 from Mark Oil
4. \$1000 from Monroe Oil Company.

Commissioner Leake removed this item from Consent for more public awareness.

16-3555 INTERLOCAL AGREEMENT - MECKLENBURG COUNTY, CENTRAL PIEDMONT COMMUNITY COLLEGE AND THE TOWN OF HUNTERSVILLE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to adopt a resolution titled "Final Resolution approving the Merancas Campus Expansion and Huntersville Recreation Center Interlocal Cooperation Agreement among Mecklenburg County, Central Piedmont Community College, and the Town of Huntersville."

Commissioner Leake removed this item from Consent for more public awareness.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
FINAL RESOLUTION APPROVING THE MERANCAS CAMPUS EXPANSION AND HUNTERSVILLE RECREATION CENTER INTERLOCAL COOPERATION AGREEMENT AMONG MECKLENBURG COUNTY, CENTRAL PIEDMONT COMMUNITY COLLEGE, AND THE TOWN OF HUNTERSVILLE AND THE CONVEYANCE OF +/- 15.60 ACRES OF PROPERTY ON THE NORTH AND SOUTH SIDES OF VERHOEFF DRIVE IN HUNTERSVILLE TO CENTRAL PIEDMONT COMMUNITY**

WHEREAS, Mecklenburg County (County) owns Tax Parcels 017-204-01 and 017-204-04 on the north side of the intersection of Verhoeff Drive and Highway 21 that were the site of the former Gatling Juvenile Detention Center; and

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WHEREAS, the County owns Tax Parcels 017-421-11 and 017-204-02 on the south side of the intersection of Verhoeff Drive and Highway 21 which have been leased to the Town of Huntersville (Town) for the site of a future recreation center to serve the residents of Huntersville; and

WHEREAS, the County owns Tax Parcel O 17-421-10 which has been leased to the Town of Huntersville for use as the Huntersville Athletic Community Park; and

WHEREAS, Central Piedmont Community College (CPCC) has determined that the Mecklenburg County community has an immediate and long term need to close the skills gaps in high demand jobs areas such as law enforcement, fire, emergency medical services, and commercial driving, and CPCC is making efforts to expand its program offerings to address the demand for skilled professionals in these areas; and

WHEREAS, the County, CPCC and Town have mutually agreed to cooperate in the expansion of CPCC's Merancas Campus and construction of the Town's recreation center by entering into an Inter local Cooperation Agreement, conveying certain parcels of County owned property to CPCC without compensation, and modifying the lease agreement between the County and the Town; and

WHEREAS, consistent with this agreement to cooperate in the expansion of the Merancas Campus, the County has agreed to convey to CPCC Tax Parcels 017-204-01 & 017-204-04 (the former Gatling Juvenile Detention Center) for construction of a Public Safety Center that will be used for classroom instruction, as well as County owned Tax Parcels O 17-421-11, 017-204-02, and a portion of 017-421-10 for construction of a Public Safety Training Village and Commercial Driving License (CDL) parking lot and laboratory. While these parcels are being deeded to CPCC without compensation to the County, the following restrictions will be placed in each deed:

- At the County's request, the properties shall revert back to the County if not under construction by July, 2030
- The properties shall automatically revert back to the County if not used for its intended purpose. Should ownership of Tax Parcel 017-204-02 revert back to the County, upon written request from the Town, the County agrees to convey title to said Tax Parcel to the Town
- CPCC may not convey the properties to any third-party entity for any reason without first obtaining the approval of the County. CPCC also agrees that it may not convey Tax Parcel 017-204-02 to any third party for any reason without first obtaining the written approval of the Town. However, CPCC may convey the future driveway entering into the planned parking lot on the Public Safety Training Village site as public right-of-way without first seeking approval of the County
- At the County's request, CPCC agrees to pay for demolition and abatement of any facilities built on the properties by CPCC, if the property reverts back to the County for not being used as intended; and

WHEREAS, the Town originally planned to build its recreation center on County owned Tax Parcels 017-421-11 and 017-204-02 under its lease agreement with the County. However, since this property is now the proposed site of the Public Safety Training Village and CDL parking lot, the County and Town will now modify the lease agreement to remove the property from the lease, and the Town will construct the recreation center on the eastern portion of Tax Parcel O 17-4 21-10 instead; and

WHEREAS, the County, CPCC, and the Town have agreed to enter into an Interlocal Cooperation Agreement and other Joint Use Agreements as it relates to the funding, construction, and use of the Public Safety Center, the Public Safety Training Village, the CDL parking lot, and the recreation center (See attached Exhibits A and B). Such agreements are as follows:

Public Safety Center (Parcels 017-204-01 & 017-204-04)

- The Public Safety Center will be built with future, undetermined bond funds. If not built by July 2030, the Town, County, and CPCC will renegotiate continued and future use of the property
- Joint use of the parking lot at the Public Safety Center by the Town for the Huntersville Aquatic Center will be established upon CPCC receiving funding for the project. If parking is needed by the Town, prior to the CPCC receiving funding, then the Town and CPCC will enter into a Joint Use Agreement establishing the conditions of parking on the property
- Other conditions (frequency, hours, etc.) of the Town's use of parking will be established in a Joint Use Agreement upon funding becoming available for the project
- CPCC accepts the property from the County in its "as is" condition, and upon conveyance of the land to CPCC by the County, CPCC will become responsible for all improvements located on the property
- The County will not participate in the cost to remediate or demolish the former Gatling Juvenile Detention facility

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Public Safety Training Village and CDL Parking Lot (Parcels O 17-421-11, 017-204-02 & portion of 017-421-10)

- The CDL Parking Lot and associated laboratory space will be constructed by CPCC within twenty-four (24) months of transfer of the property from the County to CPCC and execution of the Interlocal Agreement
- The Town and CPCC will enter into a Joint Use Agreement that spells out the conditions by which the Town is allowed to use the parking lot being constructed by CPCC
- CPCC agrees that the County will not participate in the cost of construction for the Public Safety Village and CDL Parking lot and laboratory space beyond any funding that may be provided to CPCC through the County's capital budgeting process
- Upon conveyance of the land to CPCC and approval by the State Board of Community Colleges, CPCC agrees to use State of North Carolina 2016 Bond funds for design and construction of the CDL Parking Lot and laboratory.

Town of Huntersville Recreation Center (eastern portion of Parcel 017-421-10)

- Instead of constructing its recreation center on County-owned parcels O 17- 421- 11 & 017-2 04-02, the Town will construct the recreation center on the eastern portion of parcel 017-421-10
- The Town agrees to solely fund construction of the recreation center
- The Town and CPCC will enter into a Joint Use Agreement that allows use of the recreation center by CPCC
- As part of its recreation center construction, the Town is constructing a driveway entrance onto parcel 017-421-10. The Town agrees to grant CPCC an access easement across the driveway which will allow CPCC to have access to a future parking lot (to be constructed by CPCC) on its adjacent parcel (017-421-07)

CPCC Merancas Campus Parking Lot (portion of Parcel 017-421-07)

- CPCC agrees to construct at least 100 additional parking spaces along the western boundary of the property within close proximity to the recreation center to be built by the Town
- CPCC agrees to solely fund the design and construction of the parking lot with a vehicular connection to the Town's recreation center driveway
- The Town and CPCC will enter into a Joint Use Agreement that allows the Town to use the parking lot for activities that take place at the Huntersville Athletic Park and the new recreation center; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements "be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute interlocal agreements among the County, CPCC, and the Town, as well as deeds and a lease amendment as necessary to accomplish the purposes stated above, consistent with the business terms outlined in the above.

Resolution recorded in full in Minute Book _____, Document # _____.

16-3556 BUDGET AMENDMENT - DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to recognize, receive and appropriate additional Child Care Subsidy and Administration revenue in the amount of \$3,765,794 of federal revenue.

Commissioner Leake removed this item from Consent for more public awareness.

**16-3558 DSS GRANT APPLICATION - U.S. DEPARTMENT OF EDUCATION (DOE)-
PRESCHOOL PAY FOR SUCCESS (PFS) FEASIBILITY STUDY**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, to approve grant application for funding a Preschool Pay for Success Feasibility Study; and if awarded, recognize, receive and appropriate the funds for the grant Period.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

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Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:05 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, October 18, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke and Dunlap were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3464, 16-3568, 16-3570, 16-3580, 16-3581, and 16-3596 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

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CLOSED SESSION

16-3571 LAND ACQUISITION
16-3574 CONSULT WITH ATTORNEY
16-3586 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Bethune announced the following land acquisition matters to be discussed in Closed Session: Tax Parcel #199-481-06 and Tax Parcel # 031-471-10.

Note: There was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: Land Acquisition and Business Location and Expansion.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 5:47 p.m.

Commissioners Clarke and Dunlap were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3596 PROCLAMATION - RED RIBBON WEEK

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 16-3596, Proclamation – Red Ribbon Week from the Consent section of the agenda to the Awards/Recognition section.

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Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation declaring October 24-30, 2016 as Red Ribbon Week in Mecklenburg County.

Note: National Red Ribbon Week encourages Americans to wear a red ribbon to show their support for a drug-free environment.

The proclamation was read by Commissioner Dunlap and received by Russ Lee who works with the Mecklenburg Young Marines organization. He was joined at the podium by PFC Lee.

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Mecklenburg County

North Carolina

Proclamation

WHEREAS, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

WHEREAS, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Mecklenburg County Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

WHEREAS, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

WHEREAS, the red ribbon has been chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration Special Agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

WHEREAS the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

WHEREAS, National Red Ribbon Week encourages Americans to wear a red ribbon to show their support for a drug-free environment; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does hereby proclaim October 24-30, 2016 as

"RED RIBBON WEEK"

In Mecklenburg County and encourage all citizens to join us in this special observance.

This the 24th day of October, 2016



Trevor M. Fuller, Chairman
Mecklenburg Board of County Commissioners



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16-3546 EXCELLENCE IN INNOVATIONS AWARD

The Board recognized Mecklenburg County Staff in the Department of Social Services and in the Land Use and Environmental Services Agency for receiving the Excellence in Innovations Award.

Note: Mecklenburg County was a recipient of the Excellence in Innovations Award, co-sponsored by the Local Government Federal Credit Union and the NC Association of County Commissioners. The winning programs were recognized and honored at an awards reception during the NCACC Annual Conference in Forsyth County August 10-14, 2016. Each award winning program received a \$1000 prize, as well as a trophy. The program titled "Expanding Homebound Meal Delivery via GIS Mapping Services" was a joint venture of the Department of Social Services Senior Citizens Nutrition Program (SCNP) and Land Use and Environmental Services' Geospatial Information Services (GIS) whose goal was to increase the efficiency of meal delivery to homebound seniors by allowing additional clients to be served without incurring any additional delivery/staff costs. By using advanced mapping services to plot delivery routes, the program has been able to increase the number of older adults served from 550 to 660 and will soon reach the capacity to serve 700 clients. Members of the team were: SCNP staff: Kajal Patel, Program Manager; Karen Hefner, Supervisor (retired); Heather Shrewsbury, Administrative Support Assistant and GIS staff; Todd Wilson, Technology Solutions Manager and Bruce Smith, Senior Systems Analyst.

The award was presented by Matt Gunnet, Membership Services Coordinator for the N.C. Association of County Commissioners and Jazmine Kilpatrick, Membership Development Officer, Local Government Federal Credit Union.

PUBLIC APPEARANCE

16-3572 PUBLIC APPEARANCE

The following person spoke during the Public Appearance portion of the agenda:

Blanche Penn, who was accompanied by other members of the Silver Fox Cheerleaders noted the squad's accomplishments locally and on the state level. She invited the community to make donations to the squad to assist them in their efforts. The Board was favored with a song and a cheer from the squad.

Note: Tina White and Mable Hemphill signed up to speak in advance but did not appear.

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APPOINTMENTS

16-3585 NOMINATIONS/APPOINTMENTS

Information Services and Technology Committee

The following persons were nominated for appointment consideration to the Information Services and Technology Committee by Commissioner Clarke.

Benson, Frank
Bryant, West
Calhoun, Nicole
Lewis, Nathaniel

Note: An appointment will occur on November 1, 2016.

Women's Advisory Board

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint the following persons to the Women's Advisory Board:

Simone Hunter to fill an unexpired term expiring April 30, 2018
Joy Marshall and LaShonda McGregor to fill unexpired terms expiring November 30, 2018
Victoria Pollard for a three-year term expiring November 30, 2019

They replace Mary Foxx Johnson who declined reappointment consideration, Sandra Johnson and Keiba Young who resigned because of other obligations and Pat Schulz.

PUBLIC HEARINGS

16-3575 BOARD OF HEALTH RULE GOVERNING RECREATIONAL WHITEWATER SYSTEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive public

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comment concerning the proposed Board of Health Rule "Governing Recreational Whitewater Systems."

Dr. Marcus Plescia, Mecklenburg County Health Director gave an overview of the proposed health rule. He was joined at the podium by Lisa Corbett of his staff.

Jeff Wise, President and CEO of the U.S. National Whitewater Center spoke in support of the proposed Health Rule.

Comments

Commissioner Leake asked about the cost to fulfill the recommendations outlined in the proposed Health Rule and if Whitewater owed the County any funds. *Dr. Plescia said the County's response to the incident that occurred at the Whitewater Center in June was considered the role of the Health Department for public health reasons. There was not a separate charge to the Whitewater Center. He said going forward with the adoption of the proposed Health Rule there would be a \$500 inspection fee, which covered the cost of staff time.*

Commissioner Leake asked would the annual inspection fee increase at some point. *Dr. Plescia said if staff determined later that the cost needed to increase, it would be brought back to the Board for consideration.*

Commissioner Leake commented on the affordability of the Whitewater Center for residents of District Two, which is her district. She said for many it was unaffordable. She suggested to Mr. Wise that annually there should be one day set aside for residents of District Two at an affordable rate.

Commissioner Puckett spoke in support of the proposed Health Rule.

Commissioner James asked what the legal basis was for the County taking this action when it was stated early on that the County had no authority to take any action. *County Attorney Bethune explained that it was not stated previously that the County did not have the authority to take any action but rather there was no regulation in place for the County to do anything.*

Commissioner James asked for clarity that this was a Health Rule and not a contractual agreement. *County Attorney Bethune said it was not a contractual agreement but a Health Rule.*

Commissioner James asked about the chlorine level of .5 and how it was established, which was addressed by Dr. Plescia.

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Commissioner James asked would the annual inspections be announced or unannounced. *The response was unannounced.*

Commissioner James asked about the testing process which was addressed by Ms. Corbitt.

Commissioner James said he was okay with the proposed Health Rule, however, he felt a penalty clause should be included. *Dr. Plescia referenced section 10 of the Health Rule, which addressed a \$500.00 fine for non-compliance.*

Commissioner James questioned whether \$500.00 was sufficient for the fine amount.

County Attorney Bethune explained the difference between a criminal penalty and a civil penalty. He said \$500.00 was the maximum amount that could be charged. He said the County could, if it choose to do so, initiate a civil penalty, which was not a part of the proposed Health Rule as presented.

Commissioner James questioned whether the amount of the annual permit fee was sufficient enough. *Ms. Corbitt addressed how it was derived. She said it was consistent with how the fee was assessed for the inspection of swimming pools.*

Commissioner Scarborough questioned whether an advisory board was needed for this type of facility, a five member board consisting of persons that utilize the Whitewater Center, an environmentalist, chemist, etc. Commissioner Scarborough said had an advisory board been in place, perhaps the incident that occurred would not have occurred.

Dr. Plescia said it's been the Department's experience that when there are problems at various types of facilities, the Health Department hears about them from users.

Dr. Plescia said with approval of the proposed Health Rule governing whitewater systems, the Health Department would have a good sense of what's occurring at the Whitewater Center. He said if a complaint was received, staff would go out immediately as it would at any facility and not wait until the next scheduled visit.

Commissioner Dunlap said the County's interest was in compliance and not from a punitive perspective. He said the goal was to ensure the health and safety of users of the Whitewater Center.

Commissioner Cotham expressed to Mr. Wise her disappointment that he did not make himself available to the public or media when press conferences were held regarding the incident that

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occurred in June. Commissioner Cotham said she was often asked had she spoken with Mr. Wise and/or when would he be addressing the public.

Commissioner Cotham acknowledged to Mr. Wise that it was his decision to make, however, she said it made it difficult for the “reporters” to do their job because people wanted to know or to hear something as to what was going to happen. Commissioner Cotham said going forward she hoped, were something to occur, that Mr. Wise would make himself more available. She credited Mr. Wise for the Center’s quick response and for working with the Health Department and others to get the problem resolved.

Commissioner Cotham said she wished the County had a “real” board of health comprised of people trained in various fields.

County Attorney Bethune noted that the County had not had a separate Board of Health since around 1980. He said since that time, the Board of County Commissioners serve as the “Board of Health.”

Commissioner Ridenhour asked if the proposed regulations applied to the new deep water solar at the Whitewater Center. *Dr. Plescia said that component was considered a swimming pool, thus, there were already regulations governing it.*

Dr. Plescia said the Health Department was already going to the Whitewater Center to inspect other components, such as the restaurant. He said the proposed health rule, would be the third reason for visiting the Whitewater Center.

Commissioner Leake asked Mr. Wise, going forward, to communicate with all Board members and not just a few.

Commissioner Puckett noted that Mr. Wise was governed by a board of directors and not the Board of County Commissioners. He said it would be that board of directors who would determine if Mr. Wise’s actions were appropriate or not as far as their organization was concerned.

Commissioner Puckett noted that the County was only the landlord with respect to the Whitewater Center. He said the County did not operate the Whitewater Center.

Commissioner Puckett referenced Section 4, Subsection C of the proposed Health Rule that addressed what would occur were the Whitewater Center to become out of compliance. He said the Health Director would have the authority to close any component of the Whitewater Center found to be out of compliance. Commissioner Puckett said having that type of authority

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had far more impact than a civil penalty because closure of the facility would impact the facilities revenue.

Commissioner Scarborough asked about the makeup of the Whitewater Board of Directors, which was addressed by Mr. Wise.

Chairman Fuller said he was glad Mr. Wise was present. He thanked staff, the Whitewater Center, the State, and the CDC for their cooperativeness to get the situation under control.

Chairman Fuller noted that the County had been in communication with state partners, including the General Assembly, regarding the proposed Health Rule. Chairman Fuller said it was his understanding that the State might take the County's efforts and expand upon it to build a rule or statutory provision that might apply across the state to similar facilities that might come about in the future.

Motion was made by Commissioner Dunlap, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed Board of Health Rule "Governing Recreational Whitewater Systems" and adopt Board of Health Rule Governing Recreational Whitewater Systems.

Note: Mecklenburg County Health Department (MCHD) and North Carolina Department of Public Health (NCDPH) officials received notification on June 21, 2016 from the Centers for Disease Control and Prevention (CDC) that the June 19, 2016 death of an Ohio resident, who recently visited the U.S. National Whitewater Center (USNWC), suspected cause of death was attributed to an infection caused by Naegleria fowleri (Primary Amebic Meningoencephalitis). Based on exposure information, the CDC, MCHD, and NCDPH completed a site visit and collected water and sediment samples within the whitewater system at the USNWC on 6/22/16. All 11 samples were positive for Naegleria fowleri. The whitewater system voluntarily closed on 6/24/16. The whitewater system is not a regulated facility. The water within the whitewater system went through chlorine treatment before discharge. The sediment was removed, and the facility was cleaned. The facility was refilled with Charlotte Water and the treatment system was enhanced to include continuous chlorination and ozonization. The system reopened to the public on August 10, 2016. Health department staff monitored the treatment system for free chlorine and sediment accumulation weekly in August and September. The USNWC has continued to modify and test treatment options with the goal of consistently maintaining free chlorine levels throughout the system and minimizing sediment accumulation. Mecklenburg County Health Department proposes a local regulation with the purpose of creating an environment that is not hospitable to potentially pathogenic microorganisms (Naegleria fowleri) to protect the health and safety of citizens utilizing the whitewater system in Mecklenburg County.

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**MECKLENBURG COUNTY HEALTH DEPARTMENT
RULES GOVERNING RECREATIONAL
WHITEWATER SYSTEMS**

Be it ordained by the Mecklenburg County Board of Commissioners (while exercising the powers of a Board of Health, which powers it has assumed and conferred upon itself by action pursuant to G.S. 153A-77) that the following regulations governing the permitting, operation, maintenance, and abandonment of Recreational Whitewater Systems in Mecklenburg County, for the protection of the public health, are hereby adopted pursuant to Chapter 130A-39(a) of the General Statutes of North Carolina. These regulations shall apply throughout Mecklenburg County, North Carolina, including, but not limited to all cities and towns, whether incorporated or unincorporated.

SECTION 1: PURPOSE

The following rules are enacted for the purpose of creating an environment that is not hospitable to potentially pathogenic microorganisms to protect the health and safety of members of the public utilizing a Recreational Whitewater System in Mecklenburg County. Recreational Whitewater Systems incorporate inherently dangerous activities that may present a risk to the public. These rules are also to set in place a framework for the collection of fees to offset the cost of performing inspections, and allow County Staff to investigate and abate Imminent Hazard and nuisance conditions created by improper operation of a Recreational Whitewater System.

SECTION 2: DEFINITIONS

The following definitions shall apply throughout this Rule:

- (a) "Board of Health" or "Board" means the Mecklenburg County Board of County Commissioners acting as a Board of Health pursuant to North Carolina General Statute 153A-77.
- (b) "Department" means the Mecklenburg County Health Department.
- (c) "Director" means the Health Director for Mecklenburg County. The term also means the authorized representative of the Director.
- (d) "Imminent Hazard" means a situation that is likely to cause an immediate threat to human life, an immediate threat of serious physical injury, an immediate threat of serious adverse health effects, or a serious risk of irreparable damage to the environment if no immediate action is taken.
- (e) "Recreational Whitewater System" or "System" means an artificial recirculated body of water primarily used for interactive outdoor activities including but not limited to whitewater rafting, kayaking, and paddle boarding where recreational swimming does not occur, and where the System is not regulated by the NC Department of Labor as an amusement ride or by the NC Department of Health and Human Services as a public swimming pool.
- (f) "Permit" means a paper, sign, placard, certificate, or other official document indicating permission has been granted pursuant to these Rules for the operation of a Recreational Whitewater System for a specified period of time.
- (g) "Person" means an individual, firm, partnership, association, public or private institution, municipality, political subdivision of the State of North Carolina, governmental agency, public or private corporation, or any combination thereof.
- (h) "Public Nuisance" means a situation which creates a continuing and unreasonable interference with the use and enjoyment of property and may cause injury to another if not corrected.
- (i) "Recreational System Operator" or "Operator" means a person or persons who is responsible for the operation, maintenance, system safety and record keeping. The Recreational System Operator shall be responsible for operating the System and shall be trained on all operating equipment, disease and injury prevention, water

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chemistry and regulatory requirements. The Recreational System Operator shall be required to receive training and certification from the National Swimming Pool Foundation or other organization that provides training on the above listed subjects.

(j) "Wastewater" means the liquid waste generated by water-using fixtures and appliances. The term includes water generated during backwash, drainage, and maintenance activities.

Section 3: WATER QUALITY

(a) The chemical quality of the water in the System must be maintained in an alkaline condition at all times with the pH between 7.0 and 7.8.

(b) Disinfection must be provided in accordance with manufacturers' instructions by a chemical or other process that meets the criteria listed as follows:

(a) Chlorine is an approved method of disinfection.

(b) Other methods of disinfection must be approved by the Director and must be:

- i. registered with the U.S. Environmental Protection Agency for pool water or potable water;
- ii. provide a residual effect in the water that can be measured by portable field test equipment;
- iii. must not impart any immediate or cumulative adverse physiological effects to the public when used as directed;
- iv. must not produce any safety hazard when stored or used as directed;
- v. must not damage the System components or equipment;
- vi. must demonstrate a substantial kill of potentially pathogenic microorganisms (*Naegleria fowleri*) at least equivalent to free chlorine at a level of 0.5 part per million in the same body of water when a secondary disinfection method such as ozone or ultraviolet light is active; and
- vii. must demonstrate reduction of total coliform and fecal coliform to a level at least equivalent to free chlorine at a level of 0.5 part per million in the same body of water when a secondary disinfection method such as ozone or ultraviolet light is active.

(c) When chlorine is used as the disinfectant, a free chlorine residual of at least 0.5 parts per million (ppm) must be maintained and a secondary disinfection method such as ozone or ultraviolet light must be active throughout the Recreational Whitewater System whenever it is open or in use. Recreational Whitewater Systems that use chlorine as the disinfectant may use a stabilizer. The stabilizer must be used per the manufacturer's instructions and have no adverse impact to the members of the public using the System when used as directed.

(d) When chlorine is used as the disinfectant, automatic chemical feeders must be used. Automatic chemical feeders must be manufactured and installed in accordance with NSF/ANSI Standard number 50.

(e) The use of chlorine in its elemental (gaseous) form for disinfection of Systems is prohibited.

(f) The broadcasting of granular chlorine into the water is prohibited.

(g) When liquid chlorine is not being distributed to the System through an automatic chemical feeder in order to rapidly bring the free chlorine levels up to 0.5 ppm, a log must be kept including the date, time, location of chlorine addition, and active amounts of free and total chlorine. Rafters, kayakers and paddle boarders must not utilize the area where the liquid chlorine is being added until the free chlorine at the discharge point is less than 10 ppm.

(h) Test kits or equipment capable of measuring disinfectant level, pH, and total alkalinity must be maintained at the Recreational Whitewater System. Recreational Whitewater Systems using a stabilizer must have a test kit capable of measuring the chemical levels.

(i) The Recreational System Operator shall inspect the water system at least 2 times a day and maintain written records of the operating conditions of each of the established sampling points of the System. The inspection must be conducted prior to members of the public entering the System and 4-6 hours after members of the public have had access the System. Records must be maintained at the Recreational Whitewater System for a period of not less than 12 months. Records must include the following:

(a) daily recording of the disinfectant residual throughout the Recreational Whitewater System;

(b) daily recording of pH throughout the Recreational Whitewater System;

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- (c) daily recording of water temperature; recording of activities pertaining to water maintenance including chemical additions and filter backwash cycles;
- (d) weekly recording of total alkalinity and stabilizer (if used) or equivalent levels; and
- (e) daily recording of the location of organic accumulation throughout the Recreational Whitewater System;
- (f) a record of the date, the volume and location of organic accumulations that are being removed and the method of removal.
- (j) The Recreational System Operator shall submit to the Director plans and specifications required for the construction, alteration or remodeling of the water treatment system (disinfection and filtration) for the Recreational Whitewater System.

SECTION 4: RECREATIONAL WHITEWATER SYSTEM OPERATION PERMITS

- (a) No Recreational Whitewater System shall be operated without having been issued a valid operating permit by the Mecklenburg County Health Department.
- (b) A permit for the operation shall be valid for a period of up to 12 consecutive months beginning January 1. All permits shall expire on December 31.
- (c) Whenever, upon inspection of the System, equipment, or operating methods of any System covered by this Rule, the Director finds conditions or practices exist which represent an imminent hazard, the Director shall notify the Recreational System Operator in writing or verbally followed by a written notice to immediately abate the Imminent Hazard. Upon receipt of such notice the Recreational System Operator shall immediately abate the Imminent Hazard, or shall cease operation of the System until the Imminent Hazard has been abated. The operation Permit shall be immediately suspended for failure to maintain minimum water quality or safety standards creating an Imminent Hazard. The Recreational Whitewater System must remain closed until an inspection by the Director reveals the Imminent Hazard has been abated.
- (d) Whenever, upon inspection of the facilities, equipment, or operating methods of any System covered by this Rule, the Director finds conditions or practices exist which represent a Public Nuisance, the Director shall notify the Operator in writing or verbally followed by a written notice to abate the Public Nuisance within a reasonable period of time, not to exceed 30 days. The Operator shall abate the Public Nuisance within the period of time allotted. If the Public Nuisance is not abated within the time allotted, the Recreational System Operator shall cease operation of the Recreational Whitewater System. The operation Permit shall be immediately suspended for failure to maintain minimum water quality or safety standards creating a Public Nuisance. Once closed, the System must remain closed until an inspection by the Director reveals the Public Nuisance has been abated.

SECTION 5: FEES

- (a) A Permit fee, in an amount approved by the Board, must be submitted with each application for a Recreational Whitewater System Permit or the annual renewal of Recreational Whitewater System Permit.
- (b) Application for renewal of a Recreational Whitewater System Permit must be completed during the month of December. Applications not received by the close of business on the last work day of December shall be assessed a late penalty in an amount approved by the Board. An application shall not be deemed to have been received until an application made available to the owner or his agent is reviewed, updated, signed, returned, and received by the Department along with the appropriate payment.

SECTION 6: APPEALS

- (a) Any owner may appeal a decision made by the Director in the application of this Rule. Appeals shall be conducted in accordance with North Carolina General Statutes 130A-24(b) through (d).
- (b) No person shall take any action prohibited by the Director until there is a final resolution of the grievance.

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SECTION 7: INSPECTION AND REPORTS

- (a) The Director shall make such inspections, surveys, and investigations, collect samples of water and other substances found on the premises of Recreational Whitewater System, and make or cause to be made such laboratory analyses as may be necessary to determine that every Recreational Whitewater System complies with the standards and requirements set forth in this Rule. The Director is authorized and empowered to enter upon and make inspections of the premises of any Recreational Whitewater System while it is in operation or in use and at any other reasonable time. The Operator must assist in any reasonable way with such inspections.
- (b) It shall be the duty of every Recreational Whitewater System owner or Recreational System Operator to maintain and furnish the Director such records and information as may be required for ascertaining compliance with this Rule.

SECTION 8: CLOSURE/ABANDONMENT OF MANMADE RECIRCULATING WATER SYSTEM

- (a) Recreational Whitewater Systems not open to members of the public must treat, alter or maintain the water, structure, or chamber so as to prevent the development of insanitary conditions.
- (b) Recreational Whitewater Systems under construction or which are no longer being operated must be maintained in a manner so as to prevent the development of insanitary conditions, potential injury, or possible drowning.

SECTION 9: WASTEWATER DISPOSAL STANDARDS

- (a) Wastewater from the Recreational Whitewater System, including backwash water and water resulting from periodic drainage of the Recreational Whitewater System, must acquire all necessary permits and be discharged according to the Permit. There must be no direct physical connection between the sewer system and any drain from the Recreational Whitewater System.
- (b) Alternate equivalent methods of wastewater disposal may be approved by the Director. No method of wastewater disposal is permissible which would create an Imminent Hazard or Public Nuisance.

SECTION 10: PENALTIES AND REMEDIES

- (a) Any person who violates any provision of this Rule shall be guilty of a misdemeanor in accordance with NCGS 14-4 and punished by a fine not to exceed five hundred dollars (\$500.00).
- (b) The Director may bring a civil proceeding in the Mecklenburg County Superior Court to enforce the provisions of this Rule in accordance with Article 1 Part 2 of Chapter 130A of the General Statutes of the State of North Carolina.

SECTION 11: SEVERABILITY/CONFLICT

- (a) If any provision or clause of this Rule shall be declared invalid, such declaration shall not invalidate any other provisions or clause of this Rule.
- (b) If any provision contained in this Rule conflicts with any State rule governing the construction, remodeling, or operation of a Recreational Whitewater System, the more stringent rule, as determined by the Director, shall apply.

SECTION 12: EFFECTIVE DATE

This Rule shall be in full force and effective from and after January 1, 2017

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Health Rule recorded in full in Minutes/Ordinance Book _____, Document # _____.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Leake voting no, to approve a \$500.00 Permit Fee that must be submitted with each application for a Recreational Whitewater System Permit or the annual renewal of Recreational Whitewater System Permit.

Prior to the above vote, Commissioner Leake asked could the fee be more than \$500.00.

County Attorney Bethune explained that regulatory fees had to be set at an amount that was no higher than the actual cost of providing service. He said this type of regulatory fee was not to be used to make a profit. He said in this particular case, the Health Director said it would cost \$500 to provide the service, thus, the Board could set the fee between \$0.00 - \$500.00 but not over \$500.00. He said if the Health Director came back at a later date and indicated it was going to cost more than \$500.00, then consideration could be given to increasing the fee.

County Manager Diorio said she would have the Health Director do a comprehensive analysis of how much it would cost, because she would suspect that it would be more than \$500.00 as well.

Commissioner Ridenhour left the dais and was away until noted in the minutes.

**16-3582 NORTH CAROLINA DEPARTMENT OF TRANSPORTATION COMMUNITY
TRANSPORTATION GRANT APPLICATION**

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to open the public hearing on the Mecklenburg County Department of Social Services submittal of an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2017-2018.

Chairman Fuller read the following statement:

Voluntary Title VI Public Involvement

Title VI of the Civil Right's Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency's federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project. The North Carolina

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Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document. The completed forms will be held on file at the North Carolina Department of Transportation. For Further information regarding this process please contact Shantray Dickens the Title VI Manager at telephone number 919.508.1896 or email at sddickens@ncdot.gov.

Commissioner Ridenhour returned to the dais.

No one from the public appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on the Mecklenburg County Department of Social Services submittal of an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2017-2018; and adopt resolutions granting approval for the Mecklenburg County Department of Social Services to submit an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2017-2018; and recognize, receive and appropriate grant funds when awarded.

Note: Annually, the Mecklenburg County Department of Social Services requests a public hearing to receive comments regarding the Community Transportation Grant Application. This North Carolina Department of Transportation grant provides funding for the administrative and capital requirements of the Mecklenburg County Department Social Services' Mecklenburg Transportation System (MTS) Unit of the Services for Adults Division. This grant is to provide financial assistance for the support of public transportation services primarily in nonurbanized areas. This includes planning activities, administrative needs, purchase of capital equipment or facilities to assist in the provision of transit services in rural areas of Mecklenburg County. The administrative portion of this grant is \$168,077; a required County match of 15% which is \$25,212 will be met using existing budget allocations. The capital portion of the consolidated grant is \$70,500; the County must approve a County match of 10% which is \$7,050 to ensure federal and state funds in the FY18 budget for the capital program. The capital portion includes one replacement vehicle for Mecklenburg Transportation System's (MTS). This will allow for the Mecklenburg Transportation System (MTS) to receive funds via this NC Department of Transportation (NCDOT) grant to continue to provide administrative oversight of programs and to meet capital needs to ensure service delivery for public and human service transportation needs are maintained. County match funding will be included in the FY18 budget request.

PUBLIC TRANSPORTATION CONSOLIDATED CAPITAL CALL FOR PROJECTS PROGRAM RESOLUTION

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WHEREAS, Article 2B of Chapter 136 of the North Carolina General Status and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for public transportation projects; and

WHEREAS, NCDOT has been designated as the State agency with principle authority and responsibility for administering capital projects for small urbanized and rural areas; and

WHEREAS, (Legal Name of Applicant) Mecklenburg County hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, and all small administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.; and

WHEREAS, (Legal Name of Applicant) Mecklenburg County understands and agrees that capital project requests will be funded with 5310, 5311 (RTAP or ADTAP), 5339, state funds or a combination thereof. The applicant agrees they will adhere to the compliance of the grant used to fund the project.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* County Manager of (Name of Applicant's Governing Body) Mecklenburg County is hereby authorized to submit a grant for federal and state funding, provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide public transportation services.

Resolution recorded in full in Minutes/Ordinance Book _____, Document # _____.

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

**Section 5311
FY 2018 RESOLUTION**

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

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WHEREAS, (*Legal Name of Applicant*) Mecklenburg County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the (*Authorized Official's Title*)* County Manager of (*Name of Applicant's Governing Body*) Mecklenburg Board of County Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

Resolution recorded in full in Minutes/Ordinance Book _____, Document # _____.

5311 DESIGNEE CERTIFICATION FORM

Resolution authorizing the filing of applications with the North Carolina Department of Transportation– Public Transportation Division for grant years FY2018 – FY2022, for federal transportation assistance authorized by 49 U.S.C. 5311, United States Code, other federal statutes administered by the Federal Transit Administration or state statutes administered by the State of North Carolina.

WHEREAS, the State of North Carolina has been delegated authority to award federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the applicant, and may require the applicant to provide the local share of the project cost;

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, BE IT RESOLVED BY Mecklenburg County Board of County Commissioners

1. That (County Manager) is authorized to execute and file an application for federal assistance on behalf of Mecklenburg County with the State of North Carolina for federal assistance authorized by 49 U.S.C. Chapter 5311 United States Code, other federal statutes or state statutes authorizing a project administered by the Federal Transit Administration.
2. That Department of Social Services Director and the Social Services Deputy Department Director is authorized to execute and file with its applications the annual certifications and assurances and other documents the State of North Carolina requires before awarding a federal assistance grant or cooperative agreement.
3. That Department of Social Services Director and Services for Adults Division Director II is authorized to execute grant and cooperative agreements with the State of North Carolina on behalf of Mecklenburg County.

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Resolution recorded in full in Minutes/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

16-3597 BREAST CANCER AWARENESS MONTH

The Board received an update about Breast Cancer Awareness Month and Public Health efforts related to breast cancer screenings given by Dr. Marcus Plescia, Mecklenburg County Health Director.

Note: National Breast Cancer Awareness Month is a platform to raise attention about the importance of early detection of breast cancer, this is a time to make a difference, spread the word about mammograms and encourage communities, organizations, families and individuals to get involved.

Commissioner Puckett left the dais and was away until noted in the minutes.

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to adopt a proclamation designating October, 2016 as Breast Cancer Awareness Month in Mecklenburg County.

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Mecklenburg County

North Carolina

Proclamation

WHEREAS, October is National Breast Cancer Awareness Month; and

WHEREAS, National Breast Cancer Awareness Month is a platform to raise attention about the importance of early detection of breast cancer, this is a time to make a difference, spread the word about mammograms and encourage communities, organizations, families and individuals to get involved; and

WHEREAS, October 21st is National Mammography Day; and

WHEREAS, Breast cancer is one of the more common cancers, early detection improves the overall cure rate and survival, a clinical breast exam and mammograms are very important; about 1 in 8 women born today in the United States will get breast cancer at some point; and

WHEREAS, having a mother, sister, or daughter who has had breast cancer increases a woman's risk; and

WHEREAS, death rates from breast cancer have been declining, and this change is believed to be the result of earlier detection and improved treatment; and

WHEREAS, mammography, an "x-ray of the breast", is recognized as the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt; **now, therefore, be it**

RESOLVED, that the Mecklenburg Board of County Commissioners does hereby proclaim October as

"BREAST CANCER AWARENESS MONTH"

in Mecklenburg County and urges all citizens at risk to seek early education and treatment.

This the 18th day of October, 2016.



Trevor M. Fuller, Chairman
Mecklenburg Board
of County Commissioners



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Commissioner Puckett returned to the dais.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3583 FEATURED DEPARTMENT PRESENTATION - TAX COLLECTOR'S OFFICE

The Board received a presentation from Neal L. Dixon, Tax Collector regarding FY 2016 collection results, Tag and Tax Together update, Taxpayer Transparency Initiative status, strategic business plan update, and FY 2017 collection status.

A copy of the presentation is on file in the Office of the Clerk to the Board.

Comments

Commissioner Clarke asked about credit or debit card payments and the maintenance fee associated with that process. *Director Dixon explained how the on-line payment process worked.*

Commissioner James asked about having “fixed” account numbers that would remain the same year after year. *Director Dixon explained why this was not possible.*

Commissioner Dunlap asked about notification to persons eligible for certain reductions because of their age and income range, particularly when they reach 65. He said a lot of people were not aware that they qualified for a reduction in taxes. He suggested something be sent to individuals informing them of this. *Director Dixon said that particular program was administered by the Tax Assessor's Office. He said he would make note of the suggestion, which could possibly enhance what was already being done.*

Commissioner Cotham acknowledged that it was Commissioner Puckett's idea that the tax office begin placing on tax notices a breakdown of where taxpayers' dollars were being spent.

Commissioner Leake asked about the Homestead Exemption Act and how could the income limit be changed to benefit more seniors. She asked staff to respond at a later date.

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Chairman Fuller asked Director Dixon to explain for the public's awareness, the Homestead Exemption Act, which he did. *He said it was based on age, income, and partial and/or full disability and that the amount was set by the state. He said any change would require legislative action.*

Chairman Fuller thanked Director Dixon and his staff for the work that they do and noted the County's high collection rate.

STAFF REPORTS & REQUESTS

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3571 CLOSED SESSION - LAND ACQUISITION - MCDOWELL NATURE PRESERVE

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 199-481-06 (± 6.9 acres) in the City of Charlotte's extra-territorial jurisdiction from Climer Enterprises, LLC for the expansion of McDowell Nature Preserve for a purchase price of \$230,000.

16-3571 CLOSED SESSION - LAND ACQUISITION - UPPER LAKE WYLIE

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 031-471-10 (+/- 1 acre) in the City of Charlotte's extra-territorial jurisdiction from Bobby and Jeri Wofford for park, nature preserve, open space, and watershed protection for a purchase price of \$120,000.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3569 LAND DONATION - MALLARD CREEK GREENWAY

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Accept the donation of Tax Parcel 051-411-14 (± 1.078 acres) for the future construction of a portion of Mallard Creek Greenway trail from Crown Court LLC, Marion Retail JP LLC and Marion Retail KK LLC.

16-3573 MINUTES

Approve Minutes of Regular meeting held October 4, 2016.

**16-3576 COPPERHEAD ISLAND BOAT RAMP PROJECT/CATAWBA-WATEREE REVISED
COMPREHENSIVE RELICENSING AGREEMENT**

Recognize, receive and appropriate to the Capital Reserve fund \$238,000 from Duke Energy for the expansion of Copperhead Island Boat Ramp.

16-3577 LAND DONATION - SOUTH PRONG CLARKE CREEK

Accept donation of Tax Parcel 019-223-30 (+/- .84) from Southside Neighborhood, LLC for Park & Recreation purposes.

**16-3579 GRANT APPLICATION - THE RESEARCH NETWORK ON MISDEMEANOR JUSTICE
(CRIMINAL JUSTICE SERVICES)**

Approve the submission of a grant application for funding in the amount of up to \$220,000 over a 3-year period from The Laura and John Arnold Foundation and John Jay College of Criminal Justice, and if awarded, recognize, receive and appropriate such funds for the grant period.

Note: The funding for this project will allow Criminal Justice Planning to enhance criminal justice data extraction, tracking, analyses, and reporting, building upon the current infrastructure of local criminal justice data, as well as enhancing local partnerships with key stakeholders in the criminal justice system.

16-3584 SOLE SOURCE VENDOR APPROVAL - HILLS MACHINERY EDGE FTS65

Approve the purchase of Edge FTS65 machinery as authorized by the sole source exemption in G.S. 143-129(e)(6)(ii) from Hills Machinery within the next twelve months.

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Note: This equipment will be used by Mecklenburg County Solid Waste.

16-3593 MECKLENBURG COUNTY FOXHOLE LANDFILL SCALE IMPROVEMENT PROJECT

Authorize the County Manager to negotiate and execute a contract with Randolph & Sons Builders, Inc. for the Mecklenburg County Foxhole Landfill Scale Improvement project in the amount of \$1,160,205.97.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

**16-3464 AGREEMENT WITH NCDOT FOR TRAFFIC CONTROL IMPROVEMENTS AT
DAVIDSON-CONCORD AND RAMAH CHURCH ROADS**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to enter into an agreement with NCDOT for Traffic Control Improvements at Davidson-Concord and Ramah Church Roads and approve \$350,000 capital funding for this project.

Note: As part of the Bradford Park project, the County and NCDOT have proposed to make certain traffic control improvements to provide residents of Mecklenburg County safer vehicular circulation around the park.

Commissioner Leake removed this item from Consent for more public awareness.

**16-3568 DECLINE RIGHT OF FIRST REFUSAL - CHARLOTTE-MECKLENBURG SCHOOLS
PROPERTY**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline the County's statutory right of first refusal on Tax Parcel #223-091-03 (+/-32 acres) that is owned by the Charlotte-Mecklenburg Board of Education to permit a sale of the property to Meritage Homes of the Carolinas, Inc.

Note: At its December 15, 2015 meeting, the Board declined its statutory right of first refusal to Charlotte-Mecklenburg Board of Education (CMBE) owned Tax Parcel #223-091-03 (+/- 32 acres) which would have allowed CMS to move forward with a sale of the property to Meritage Homes

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of the Carolinas, Inc. for a purchase price of \$6,000,000. Due to soil and utility issues with the property, Meritage has reduced its offer to CMBE to \$5,800,000 for the property. By state statute, the County must decline its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. Because the purchase price of the property has been reduced by \$200,000, the Board is being presented with a second opportunity to either decline or act upon its statutory right of first refusal. The Board's vote declining the County's right to purchase at the lower price will ensure that the buyer of the property is getting good title, free from the County's right of first opportunity to purchase, when the property is sold by CMBE. The property surrounds Ballantyne Elementary School (Tax Parcel 223-091-31) on all sides and was purchased by CMS when the current elementary school site was purchased in 2005. During construction of the school, CMS developed the lots for residential use. CMS had plans to offer the lots for sale on the private market at the conclusion of construction on the school; however, the residential market was in poor shape at that time and CMS decided to wait until a later date to sell the property. If sold, Meritage intends to construct housing dwellings on the property. As part of its subdivision approval process with the City of Charlotte, Meritage has indicated that it will donate +/- 9.01 acres of the 32 acres that it is acquiring from CMS to the County for greenway purposes along Clems Branch. After final subdivision approval from the City, an item will be submitted to the Board requesting that the County accept donation of the property.

Commissioner Leake removed this item from Consent for more public awareness.

16-3570 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Recognize, receive and appropriate an increase in revenue in the amount of \$104,350 from Smart Start of Mecklenburg (through additional funding by Vanguard) covering from January 1, 2017 through October 31, 2017.
2. Approve the creation of one Nurse Case Manager to be funded by the Smart Start/Vanguard Grant; and
3. Recognize, receive and appropriate a net increase in revenue in the amount of \$94,138 reflecting actual state, federal and other funding changes.

Commissioner Leake removed this item from Consent for more public awareness.

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16-3580 DUKE ENERGY LIGHTING SERVICE CONTRACT - DOUBLE OAKS AQUATIC CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a 10-year service contract with Duke Energy in the amount of \$18,492 (\$1,849.20 per year) for all parking lot lighting at the new Double Oaks Family Aquatic Center on Statesville Road.

Commissioner Leake removed this item from Consent for more public awareness.

**16-3581 PARK AND RECREATION GRANT AWARD FROM THE NORTH CAROLINA
GENERAL ASSEMBLY**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1) Receive and appropriate a \$1,000,000 grant from the North Carolina General Assembly for increased stadium field seating capacity and other amenities at the Mecklenburg County Regional Sports Complex at Matthews.

2) Amend the FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance.

Commissioner Leake removed this item from Consent for more public awareness.

Ordinance recorded in full in Minutes/Ordinance Book _____, Document # _____.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:15 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, November 1, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
Wilma D. Leake, Jim Puckett, Matthew Ridenhour and
Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3587, 16-3600, 16-3603, 16-3605, and 16-3622 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3609 CONSULT WITH ATTORNEY

County Attorney Bethune announced there was no Consult with Attorney matter to be discussed in Closed Session.

The Board just dined during this time.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

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Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 16-3600 Proclamation- November 2016 Homelessness Awareness Month from the Consent section of the agenda to the Awards/Recognition section.

16-3600 PROCLAMATION - NOVEMBER 2016 HOMELESSNESS AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a joint proclamation declaring November 2016 as Homelessness Awareness Month in Charlotte and Mecklenburg County.

Chairman Fuller read the proclamation. It was received by Mike Sexton with Community Support Services.



Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Items 16-3587 Proclamation - National

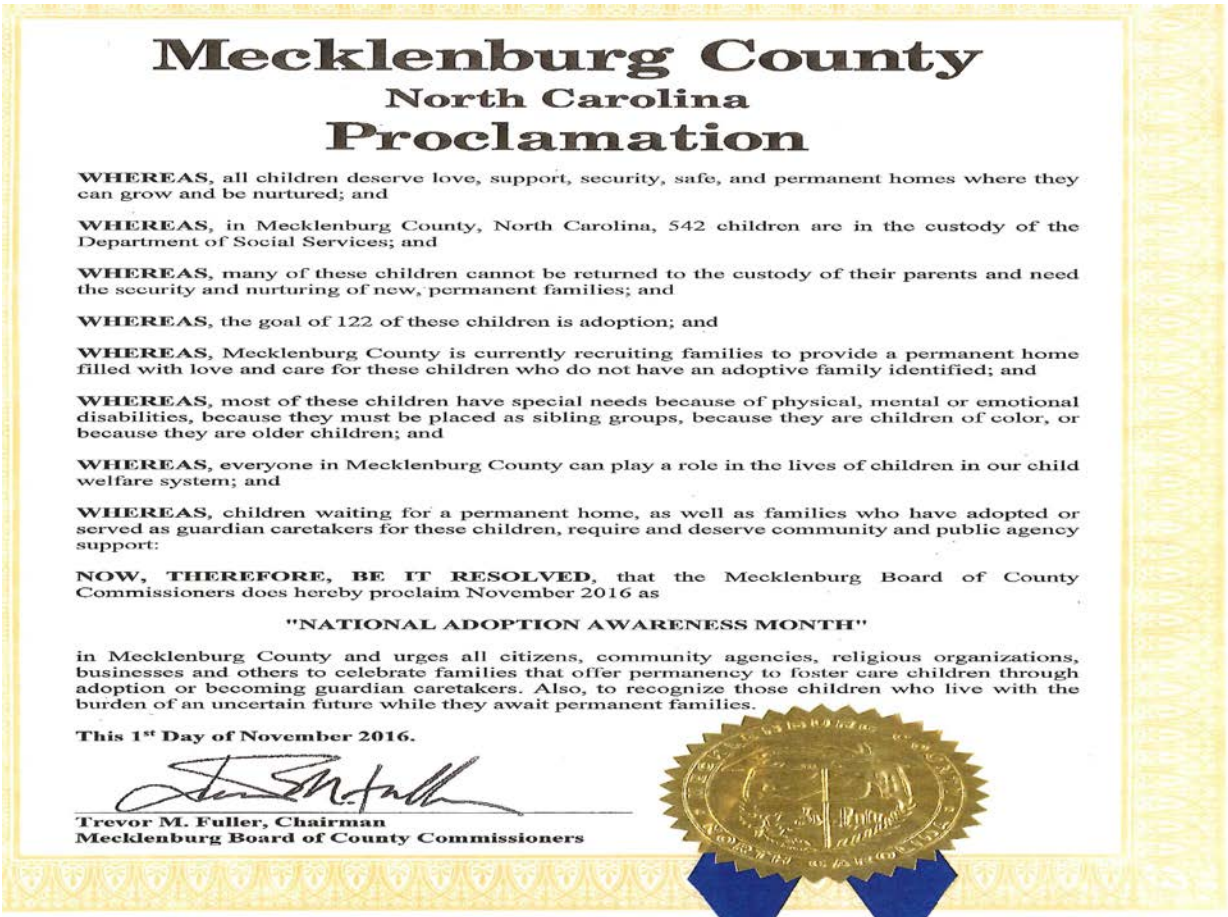
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Adoption Awareness Month from the Consent section of the agenda to the Awards/Recognition section.

16-3587 PROCLAMATION - NATIONAL ADOPTION AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating November 2016 as “National Adoption Awareness Month” in Mecklenburg County.

Chairman Fuller read the proclamation.



PUBLIC APPEARANCE

16-3607 PUBLIC APPEARANCE

The following persons spoke during the public appearance portion of the agenda:

Anthony Abraham, Jr. addressed the need for more opportunities for minority businesses. He said it was hard for minority businesses to compete with the larger companies. Mr. Abraham is in the landscaping business. He asked for the opportunity to do business with the County.

Anthony Abraham, Sr. addressed police “brutality.” He said he was in possession of a video that he sent to various news media, regarding the recent shooting in the community of Keith Lamont Scott. He said the video showed an exchange of weapons between Charlotte-Mecklenburg police officers. He said a full outside investigation was needed with respect to Mr. Scott’s death. He called for the Charlotte-Mecklenburg Police Chief’s resignation.

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Note: Commissioner Dunlap asked that staff reach out to Mr. Anthony Abraham, Jr. about the contracting process.

APPOINTMENTS

16-3617 APPOINTMENTS

INFORMATION SERVICES AND TECHNOLOGY COMMITTEE

Motion was made by Commissioner Cotham, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint the following persons to the Information Services and Technology Committee to fill unexpired terms expiring February 28, 2018: West Bryant, Nicole Calhoun, and Nathaniel Lewis.

Note: They replace, Justin Havis, Jyotheeswara Reddy and Mary Lou Stant.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

16-3626 ITEM REMOVED: ABOVE & BEYOND @ WORK WINNER ANNOUNCEMENT

16-3595 ITEM REMOVED: UPDATE ON KEY INITIATIVES OF THE MECKLENBURG COUNTY SHERIFF’S OFFICE

16-3623 AWARD FROM THE CHARLOTTE EXECUTIVE LEADERSHIP COUNCIL

County Manager Diorio addressed an award from the Charlotte Executive Leadership Council which would fund a two-phase study to develop a process to expand access to early childhood education to significantly more children in the County. It was noted the early childhood education opportunity would not be “free” program, but the goal was to make sure every child who was in need of early childhood education had the ability to access it regardless of their ability to pay.

Note: The County made a request to the Charlotte Executive Leadership Council (CELC). The initiative would include an initial feasibility study that, if successful, would be followed by an implementation design study. The mission of the CELC is “to advocate for solutions that improve Charlotte’s economic vitality and quality of life,” according to its charter. The group was formed in 2015 by the top leaders of member companies, organizations and institutions. The Foundation for the Carolinas provides administrative and program support for the council and would be the fiscal agent for the funds. In July 2016, the County issued a Request For Proposals (RFP) for a consultant to develop a strategy for expanding early childhood education in Mecklenburg County. The RFP included three components:

- 1) Through extensive community engagement, develop and advance a community vision for early childhood education in Mecklenburg County*
- 2) Identify funding mechanisms to include a legislative strategy at the State and Federal levels*
- 3) Develop a phasing strategy and implementation plan*

*Phase 1: Feasibility Study for Community Support
6 months/\$153,000
Scope of Work*

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- *Formulating, advancing and communicating a vision for the future of early care and education services*
 - *Engaging key stakeholders to:*
 - *1) inform and gather perspectives about available resources, strengths and needs pertaining to Mecklenburg County's early childhood education services*
 - *2) refine and/or reaffirm strategic priorities and target based on stakeholder feedback and research*
 - *Staffing an Early Childhood Education Initiative Advisory Committee*
 - *Baseline polling*
- Phase 2: Implementation Design*
- *12 months/\$340,000*
- Scope of Work*
- *Survey & analysis for capacity*
 - *Assisting with drafting & implementing an RFP for implementation management*
 - *Funding mechanism research & cost estimates*
 - *Legislative & advocacy strategy*
 - *Developing program structure, phase-in, reimbursement, and annual reports*
 - *Site visits to similar jurisdictions including Seattle and San Antonio*
 - *Contract for annual evaluation of the pre-k program*

The County selected the Early Learning Policy Group/Committee on Economic Development to complete the project.

Comments

Chairman Fuller thanked the Charlotte Executive Leadership Council for the award. He expressed support for moving forward with the study.

Chairman Fuller said the study was not about whether an early childhood education program was needed, but rather, how to make early childhood education a “reality” in Mecklenburg County.

Commissioner Leake questioned the need to conduct another study, in light of prior studies with respect to this issue. Commissioner Leake said the community should be at the point of moving forward.

Chairman Fuller said the study would include looking at prior studies, as well as, best practices and designing a program specific to Mecklenburg County.

Commissioner Ridenhour questioned moving forward, without having had full community discussion around the issue. He expressed concern for the cost to implement a program of this nature, and whether the program would evolve for some parents as “pre-day care for those that can’t afford daycare elsewhere.” Commissioner Ridenhour said the cost should be known before moving forward. He said this should not be discussed as if it was a “foregone” conclusion that a program would be implemented.

County Manager Diorio noted that the first phase would include community engagement.

Commissioner Scarborough spoke in support of moving forward.

Note: The above was not inclusive of every comment but a summary.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes and Commissioner Ridenhour voting no, to recognize, receive and appropriate \$500,000 from the Charlotte Executive Leadership Council to fund a study on the

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implementation of early childhood education in Mecklenburg County and to roll over unspent funds until project is complete.

16-3627 GOLDEN LEAF FOUNDATION COMMUNITY BASED GRANTS MAKING INITIATIVE

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to receive information on proposed grant applications to the Golden Leaf Foundation and approve proposed grant applications to the Golden Leaf Foundation.

Jim Prosser, Executive Director Centralina Council of Governments addressed the proposed projects.

Note: The Golden LEAF Foundation was formed under a charter established by the North Carolina General Assembly. According to the charter, the Golden LEAF Foundation “shall promote the social welfare and lessen the burdens of government to provide economic impact assistance to economically affected or tobacco-dependent regions of North Carolina in accordance with the Consent Decree. The Foundation is involved in many activities across the State in support of its mission including education assistance for tobacco farmers, job training and employment assistance for tobacco farmers, scientific research to develop new uses for tobacco or for the development of alternative cash crops, economic hardship assistance experienced by tobacco farmers, community assistance in the form of grants to economically depressed and deteriorating tobacco-dependent communities, to be used exclusively for public purposes. Two projects presented by the Centralina Council of Governments will be submitted to the Golden Leaf Foundation.

1) Career Headlight (CCH) - \$400,000

Career Headlight helps students, incumbent workers, and displaced workers find viable career pathways with solid growth prospects in both job openings and wages, many of which do not require a four-year college degree. CCH now has about 2,000 users, generated incrementally through modest marketing efforts and word of mouth. The Initiative aims to more than double that figure and to evaluate the impact of both the initiative and Career Headlight.

2) People Skills Prosperity (PSP) - \$500,000

Collaborate with participating employers across the region to offer PSP to their incumbent workers as a program of career advancement and assessment of postsecondary barriers via individual counseling. The project will integrate PSP into the local NCWorks Centers, reaching youths and displaced workers seeking career and employment advice.

16-3624 BROOKLYN VILLAGE COMMUNITY ENGAGEMENT UPDATE

The Board received information related to community and stakeholder feedback from the first phase of outreach associated with the Brooklyn Village redevelopment project.

Dennis LaCaria, Senior Assistant to the County Manager gave the report.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Dunlap complimented and thanked the team for their community engagement. He cautioned them about being influenced by “coordinated” efforts to change what the plan was to be about, referring specifically, to the desire by some in the community to have 5 acres for a park.

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Commissioner Dunlap suggested, as part of the County's Business Investment Plan, that consideration be given at a later date, to offering incentives to companies willing to invest in building affordable housing.

Commissioner Leake concurred with Commissioner Dunlap's remarks regarding affordable housing, but said there needed to be a distinction between "affordable" housing and "low income" housing. She noted for the record, per comments made during the community engagement process, that there were no "shot gun" houses in the old Brooklyn neighborhood.

Commissioner Leake complimented and thanked the team for their community engagement.

Commissioner Leake said she would love to have seen a public high school in the plan and that it be named after Arthur Griffin, a former Board of Education Chairman. She said the school would serve as a replacement for the Second Ward High School that previously existed in the Brooklyn community, but was torn down in 1969. Commissioner Leake said the community was promised another high school in the area but it had yet happen.

Commissioner Scarborough thanked the team for their work to date. She echoed Commissioner Leake's comment that there were no "shot gun" houses in the former Brooklyn community.

Commissioner Cotham complimented and thanked the team for their community engagement. She expressed concern and opposition, however, for doing away with Marshall Park.

Commissioner Ridenhour complimented and thanked the team for their community engagement. He expressed support for a park in the plan. Commissioner Ridenhour said he was excited about moving forward.

Commissioner Scarborough asked would the Martin Luther King, Jr. statue, currently in Marshall Park, remain. *The response was yes.*

Commissioner Scarborough said she wanted to be sure minority participation would be a part of this project. *The response was yes.*

Commissioner Puckett complimented and thanked the team for their community engagement. He suggested a conversation with Peter Pappas with respect to the Pearl Street Park Project to see if any coordination could take place, whereby, access to Pearl Street Park could become the green space for the Brooklyn project.

Chairman Fuller complimented and thanked the team for their community engagement. He asked that they be "deliberate and intentional" about minority participation. He complimented the team for their participation goal of 35%.

Chairman Fuller noted that nothing had been decided with respect to a park in the project.

Note: The above was not inclusive of every comment but a summary.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3612 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly departmental management reports for October, 2016.

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Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and that the reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

Commissioner Dunlap left the dais and was away until noted in the minutes.

STAFF REPORTS & REQUESTS

16-3611 REPLACEMENT - LATTA PLANTATION NATURE CENTER

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Resolution of intent to enter into a lease agreement with the Carolina Raptor Center for use of a portion of a replacement Latta Plantation Nature Center.

Note: Mecklenburg County Park and Recreation (County) and the Carolina Raptor Center (CRC) have initiated an innovative collaboration to bring together CRC and County resources to be located in a new County owned Latta Plantation Nature Center (the “Center”). To better meet the needs of the residents of Mecklenburg County, the County plans to use the new 13,000 sq. ft. Center for uses such as the following: staff offices; nature-based programs for all ages; animal exhibits; hosting community meetings and special events; operating summer camps; and a place for visitors to sign up for outdoor recreation programs such as kayaking, segway use and stand up paddle boarding. With CRC on board and working in the same building, their bird oriented programming, camps, special events and a new Raptor Trail will add to the visitor experience. Therefore, the County wishes to (i) lease to the CRC portions of the Center for its exclusive use, (ii) reserve other portions of the Center for exclusive County use, and (iii) establish for CRC and County nonexclusive rights to use the remainder of the Center in common.

Park and Recreation Director Jim Garges addressed this matter, prior to the above vote.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION OF INTENT TO ENTER INTO
A LEASE AGREEMENT WITH THE CAROLINA RAPTOR CENTER
FOR USE OF A PORTION OF A REPLACEMENT LATTA PLANTATION NATURE CENTER**

WHEREAS, the Carolina Raptor Center, Inc., (“CRC”) has since 1982 operated a nonprofit raptor rehabilitation, environmental center, education, and outreach program (the “Raptor Center”) designed to enrich the community, and since 1984 has leased 57.322 acres of County property in Latta Plantation Nature Preserve (LPNP), on which it has constructed, as part of the Raptor Center, a small visitors’ and education center which has become too small for its intended purposes as the number of visitors to the Raptor Center has increased over the years; and

WHEREAS, the County operates a small nature and visitors’ center at LPNP which has become too small for its intended purposes as the number of visitors to the LPNP has increased over the years since it was constructed; and

WHEREAS, the County and CRC have initiated an innovative collaboration to bring together CRC and County resources to be located in a new County owned Latta Plantation Nature Center; and

WHEREAS, the County has developed plans to construct and equip a new Latta Plantation Nature Center (the “Center”) on the County owned LPNP for use by both the County and CRC, and to be known, at least initially, as “Quest”; and

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WHEREAS, the County wishes to (i) lease to the CRC portions of the Center for its exclusive use, (ii) reserve other portions of the Center for exclusive County use, and (iii) establish for CRC and County nonexclusive rights to use the remainder of the Center in common; and

WHEREAS, the County plans to use the Center for uses such as the following: staff offices; nature-based programs for all ages; animal exhibits; hosting community meetings and special events; operating summer camps; and a place for visitors to sign up for outdoor recreation programs such as kayaking, Segway use, stand up paddle boarding; and

WHEREAS, the CRC plans to use the Center for uses such as the following: staff offices and break room; formal and informal education programs; live bird presentations;; summer camps; community events, fundraising events; meetings including CRC Board of Director meetings; gift shop operations including selling tickets to the Raptor Trail; the trailhead for the Raptor Trail and to generate any other earned income or fundraising activity for the benefit of CRC; and

WHEREAS, the CRC and the Mecklenburg County Park and Recreation Department have negotiated a Lease, Development and Operating Agreement which contains the following terms and conditions:

- I. Property to be leased: A portion of the replacement Latta Plantation Nature Center, consisting of approximately 18.5 % of the new Center, and an outdoor area of approximately 28 acres (the “Premises”);
- II. Term: An initial term of twenty (20) years, with CRC to have options to renew for six (6) additional five (5) year terms;
- III. Payment: The CRC will provide \$1,000,000 toward construction costs (partly by providing donated construction materials), and pay eighteen and a half percent (18.5%) of the operating expenses; and

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that the Premises will not be needed by the County for the proposed term of the Lease; and

WHEREAS, pursuant to G.S. 160A-272 and G.S. 160A-279, the Board of Commissioners proposes to accept the offer as more fully contained in a proposed Lease, Development and Operating Agreement for the replacement Latta Plantation Nature Center as presented to the Board and follow the statutory procedure to advertise for upset bids; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners proposes to accept the offer of the Carolina Raptor Center, Inc. to lease the Premises on the terms and conditions stated above, and directs the Clerk to the Board to publish a notice of the offer to lease as required by law.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

COUNTY COMMISSIONERS REPORTS & REQUESTS

**16-3628 CHARLOTTE-MECKLENBURG SCHOOLS STUDENT ASSIGNMENT PLAN -
COMMISSIONER PUCKETT**

Commissioner Puckett placed on the agenda an item asking the Board to consider indicating its position with respect to the Charlotte-Mecklenburg Schools Student Assignment Plan and request the Board of Education to delay a final vote on the current or proposed student assignment/magnet plan.

Commissioner Dunlap returned to the dais.

Commissioner Puckett gave the following as background for placing the matter on the agenda:

“While I would normally steer clear of trying to direct another elected body, the constitution and state law make it clear that the Board of County Commissioners has a vital role in the funding of CMS. Therefore, I feel a responsibility to have an overwhelming consensus based on a comprehensive understanding of the major programs and capital projects we fund. If we, as the ones who must consider the consequences, the failure of a near billion dollar investment will have on our ability to offer other needed services in the future, it is incumbent on us to ask for a more reasoned approach. It is rare that an argument can be made for one elected

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body to seek change from another, but we are linked, like it or not. I have grave concerns about the lack of change in fundamental educational delivery for at-risk kids in this plan. It continues to address a symptom and not the problem. The problem isn't high concentrations of poverty, it is how you deal with it. Additionally CMS is now in the process of hiring a new superintendent. Would it not be reasonable to make sure the new person in charge agrees with the approach. I believe CMS needs to take additional time to develop and answer legitimate questions surrounding a plan that will for good OR bad set us on a path that will not be easily or inexpensively altered in the near future."

Commissioner Puckett said what was being proposed by CMS was not a Student Assignment Plan, but rather it was starting a "massive" magnet program that required brand new seats in order to do it. He said it would require passage of a "substantial" bond package next year, which was another reason to have more "buy in" from the public.

Commissioner Puckett said based on feedback he'd received, the public was split 50-50 on whether CMS' proposed Student Assignment Plan was the right one for the community.

He said the proposed bond package would have "almost no new capacity" in his district or in District 6 for new schools.

Commissioner Puckett questioned whether Town Planners were engaged in CMS' community engagement process.

Commissioner Puckett said the proposed CMS Student Assignment Plan was an "expensive" program aimed at educating "poor children," but this was not the way to do it.

Commissioner Puckett acknowledged that high concentrations of poverty was the number one indicator of educational challenges. Commissioner Puckett said high concentrations of poverty did not cause "education not to happen." He said it was an indicator that something different needed to be done. Commissioner Puckett said you don't have to "scatter poor children" around to impact their education.

Commissioner Puckett said the proposed Student Assignment Plan was "forced busing" in the form of "controlled choice."

Superintendent Ann Clark addressed Commissioner Puckett's concerns. The following was noted:

- The \$804 million CMS capital improvement plan presented to the Board of County Commissioners in the spring was not about expanding the magnet program. It included replacement schools, new construction, renovations and additions to existing schools, and sustainment projects for career technical education.
- The capital projects specifically related to CMS' four year rolling plan for the magnet program had seven projects totaling \$192 million.
- The last two CMS bond packages had "significant" investments in District 1.
- The capital improvement plan submitted to the Board included one K-8 magnet that would create 850 new seats.
- Next fall an additional 200 seats would be at the Merancas campus, at no capital cost, and there would be additional magnets in the transportation zone serving District 1 and would create additional magnet seats for those students.
- Per questions from the public and from the Board of County Commissioners around funding for the 2017-18 investments, CMS would use proceeds from the sale of Walton Plaza and the old Education Center and apply it to capital improvements at three of the schools proposed to be opened in 2017-18.

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- Pawtuckett Elementary would reopen, thus, eight of the eleven schools that had been closed would be reopened by August 2017.
- Proceeds from the sale of Walton Plaza would be used to begin renovations at JT Williams.
- Shuttle stops would not be the only option for CMS magnet students.
- CMS was now a three transportation zone system, thus creating efficiencies.
- The unknown cost, at this point, was transportation for the new magnet programming. It would not be as extensive as it would be going forward, because implementation would be gradual. The focus would be on kindergarten, 6th grade and 9th grade.
- The Phase One student assignment review was not intended to be an academic plan.
- CMS had a Strategic Plan that outlined CMS' goals and strategies and initiatives that focused on all CMS schools, but with "extraordinary" attention to the lowest performing schools.
- The number of "F" schools were cut in half last year.
- CMS went from 37 low performing schools to 25 last year.
- The number of "A & B" Schools in the district were increased last year.
- Progress was being made, however, there were still achievement gaps and progress that had to be made.
- There was no intent to "leave students behind." CMS was focused on low performing schools and would continue to do so.
- A reduction in the percentage of poverty changes the conditions.
- CMS was focusing on effective teachers and providing them with incentives.
- CMS strategically staffed 27 of the lowest performing schools with outstanding leadership and effective teachers with proven track records of moving student achievement.
- There were over 90 districts throughout the nation using socio-economic status as a way to reduce concentrations of poverty.

Public Comments

The following persons addressed CMS's Student Assignment Plan:

James Rachal spoke in opposition to CMS' use of the controlled choice model. He said the controlled choice model had not been successful in other urban areas. He expressed concern for increased busing as a result of the proposed CMS Student Assignment Plan. He said there was a lack of transparency on the part of CMS. He spoke in support of a request to ask the Board of Education to delay approval of its proposed Student Assignment Plan.

The following persons spoke in support of CMS's Student Assignment Plan and moving forward with implementation. It was acknowledged that the proposed plan was not perfect but that it was a good start: Lisa Howell , Pamela Grundy, Jess Miller, Helene Hilger (on behalf of the Charlotte League of Women Voters of Charlotte-Mecklenburg), and Kevin Poirier.

Robert Clark spoke in opposition to CMS' proposed Student Assignment Plan. Mr. Clark said he was a resident of South Charlotte and that many in his area felt their concerns had not been heard by CMS. He spoke in opposition to CMS' use of the controlled choice model. He said the controlled choice model had not been successful in other urban areas. He said it was not a new model and that it had been around since the 1980's.

Commission Comments

Chairman Fuller said CMS' proposed Student Assignment Plan was just one tool to address the educational challenges that existed within the CMS system. He said high concentrations of poverty was an issue that had to be dealt with. He said the notion of "separate but equal" did

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not work. Further, that CMS' proposed Student Assignment Plan was not "perfect" but was a first step in addressing the issue.

Chairman Fuller said more information was needed with respect to the cost of the proposed plan and would be forthcoming.

Chairman Fuller said the real aim should be to make every school a "good" school that anyone would choose to send their children to.

Chairman Fuller used himself as an example of a child who grew up in a challenged neighborhood, single parent household, with a mother who wanted to make sure he had a good education and allowed him to be bused to the other side of town to attend school, a private school. Chairman Fuller said he was transported to a "different world" not only academically but culturally.

Chairman Fuller said it made a difference where a child gets an education. He said there was something to say about a child living in a challenged environment, who otherwise may not get or have the opportunity to experience a different environment, were it not for the ability to attend school outside of their environment.

Chairman Fuller said with respect to the Board's role in this matter that it was not to just provide funding, but the Board had an obligation to spend the public's money wisely and in doing so there were times when disagreement would occur around funding and required more discussion.

Chairman Fuller said the Board should not hold up the Board of Education from doing their job but that it was important for the Board of Education to hear the concerns of the Board.

Commissioner Dunlap said if the only purpose of Commissioner Puckett bringing this matter to the Board was for capital reasons/decisions, then the Board had already begun that process by agreeing to fund a portion of this months ago via CMS' Capital Improvement Plan.

Commissioner Dunlap said "justice delayed is justice denied" and the longer you delay providing an opportunity for "poor and impoverished" children to get the best education possible, you're denying them that opportunity.

Commissioner Dunlap said there would always be neighborhood school proponents. He said it made sense for a lot reasons to go to the school closes to your home, however, there were also benefits when people have the choice to go to a different school for a different reason.

Commissioner Dunlap addressed the staffing of schools nationwide with respect to the assignment of teachers. Commissioner Dunlap said if you can't place the teachers where the children need them the most, then allow children to go where the teachers were, via magnet programs.

Commissioner Dunlap questioned the necessity for CMS to pay for differentiated staffing if children were going to have the opportunity to go to where the good teachers were. He said the elimination of differentiated staffing would be a cost savings.

Commissioner Dunlap said he wanted the Board to do what it was statutorily required to do and that the Board of Education do the same. He encouraged the Board not to delay the Board of Education.

Commissioner Cotham said there were citizens that still had questions, particularly parents of children with special needs.

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Commissioner Cotham said it was good to have had the discussion of this matter.

Commissioner Cotham expressed her support of moving forward and complimented CMS on all of its efforts. She said the proposed plan was not “perfect” but it was a start.

Commissioner Cotham requested information on the current status of the magnet program within CMS.

Commissioner Clarke asked would the proposed Student Assignment Plan build excess capacity. *Superintendent Clark said in the 2017-18 school year CMS would use existing facilities. She said there was a lot of overcrowding in many of the system’s schools and what was being proposed would address overcrowding. Further, that she did not see CMS at risk with Phase 1 in any way of having excess capacity.*

Commissioner Clarke asked about the impact on the 2017-18 school year if there was a delay on approving the plan until the hiring of a new superintendent and his or her review of the plan. *Superintendent Clark said it would definitely impact the 2017-18 school year because the Board of Education had a policy that any changes impacting student assignment had to be made in November along with parental notification. She said even with a new superintendent coming on board, it’s possible that they would miss the November deadline for 2018, as well, in light of coming on board and getting acclimated with the community.*

Commissioner Clarke said if it was true, per comments made, about the failure of controlled choice plans, why would the Board of Education and Superintendent be supportive of it. *Superintendent Clark said CMS had not, at any point, entertained a controlled choice option. She said the Board of Education voted on goals and guiding principles that specifically assign all students to a home school in proximity to where the student lived.*

Superintendent Clark said a controlled choice plan would require all students to make a choice to a school without any default assignment.

Superintendent Clark said the Board of Education through its goals and guiding principles said students would be assigned to a home school in proximity to where the student lived. Secondly, CMS was going to reduce concentrations of poverty and in between those two pillars was the work of the Board of Education with the community and with families.

Commissioner Scarborough asked was there any validity to waiting until a new superintendent was on board before approving the proposed Student Assignment Plan. *Superintendent Clark said it could “seriously” delay things. She said a tremendous investment had been made by the Board of Education and CMS staff and a committed community and that she saw everyone coming together rather than apart.*

Commissioner Scarborough said she was supportive of moving forward and letting the Board of Education do what they were elected to do. She said a delay would be a delay for children.

Commissioner Leake said her desire was that every child have the best principal and best teacher. She addressed the importance of classroom management on the part of teachers. She said expectations for children needed to be higher.

Commissioner Leake expressed disappointment for labels being used when referring to children. She said the problem was economics.

Commissioner Leake addressed the need for a new West Charlotte High School and suggested to Superintendent Clark that her legacy should be the construction of a new West Charlotte High School. Commissioner Leake said West Charlotte High School was built in 1954.

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Superintendent Clark noted plans for new and renovated buildings at West Charlotte High School. Commissioner Leake said a brand new school was needed versus renovating.

Commissioner Ridenhour noted for the public’s awareness that the Board had no authority to “force” the Board of Education to delay their plans or to create a different student assignment plan. He said the Board could ask questions and discuss the issue, but the final authority to take action was with the Board of Education.

Commissioner Ridenhour said he didn’t know if the proposed Student Assignment Plan would be a success or not but the responsibility for it resided with the Board of Education.

Commissioner Ridenhour said in light of the Board’s limited role with respect to the proposed Student Assignment Plan, he was not supportive of asking the Board of Education to delay its actions.

Commissioner Ridenhour encouraged residents with concerns to reach out the Board of Education.

Commissioner Puckett said he placed this matter on the agenda for discussion purposes. He said he wanted the public to have the opportunity to hear how the Board felt with respect to CMS’ proposed Student Assignment Plan. He said he would not make a motion asking the Board of Education to consider a delay.

Commissioner Puckett said he continued to have concerns for at-risk children, because he saw nothing in the proposed Student Assignment Plan that indicated the “most needy” child was going to have the best teacher.

Commissioner Puckett said he appreciated the debate.

Note: The above was not inclusive of every comment but a summary.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3591 BUDGET AMENDMENT - CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Recognize, receive and appropriate an increase in Federal revenue in the amount of \$299,952 from the Bureau of Justice Assistance.

Note: Criminal Justice Services was awarded a three year grant by the Bureau of Justice Assistance. The grant will provide financial support to enhance the recovery support services provided to adult drug court clients and to serve as a liaison between the Mecklenburg County STEP Program and Hope Haven Inc. Grant funds will also be used to conduct a robust outcomes evaluation of the adult drug court programs.

16-3592 FLOOD MITIGATION ENGINEERING SERVICES

Authorize the County Manager to negotiate and execute a Flood Mitigation Engineering Services Contract between Mecklenburg County and ESP Associates, P.A.

16-3599 STORM WATER PROGRAM - FY17 VACANT FLOODPLAIN LAND ACQUISITION

- 1) Accept the Offer of Sale of Real Estate from Alvita Askew, owner of property located at Lakewood Avenue, Charlotte, NC (tax parcel 069-077-01), for \$1,800; and
- 2) Accept the Offer of Sale of Real Estate from Robert Hill owner of properties located at Lakewood Avenue and Celia Avenue, Charlotte, NC (tax parcels 069-113-01, 069-076-25, 069-076-22, 069-076-17, & 069-076-15), for \$7,000.

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The referenced vacant parcel acquisitions will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcels as floodplain open space which reduces future flood risk.

16-3602 BUDGET AMENDMENT - DSS (REVENUE INCREASE/DECREASE)

Recognize, receive and appropriate a net increase in revenue in the amount of \$348,503.

Note: During the fiscal year, Department of Social Services receives notification of modified funding for programs within the department from NC Division of Social Services, NC Division of Aging and Adult Services and NC Department of Transportation. The net increase of federal and state allocation is \$348,503.

16-3604 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursements funds of \$11,932 for Asset and Facility Management and \$1,419 for Sheriff's Office.

Note: The County received insurance proceeds based on the claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3606 ARCHITECT, LANDSCAPE ARCHITECT AND ENGINEER SELECTION - EASTWAY REGIONAL RECREATION CENTER

Authorize the County Manager to negotiate fees and execute a contract with Neighboring Concepts, for Architectural, Landscape Architectural, and Engineering Services for the Eastway Regional Recreation Center and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of Cannon Design/Jenkins Peer.

16-3608 MINUTES

Approve Minutes of Regular meeting held October 18, 2016.

16-3610 TAX REFUNDS

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1) Approve refunds in the amount of \$11,175.99 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$324,264.23 and interest as statutorily required to be paid as requested by the County Assessor Staff Contact: Debbie Shoff, County Assessor's Office

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$13,950.13.

A list of the taxpayer recipients is on file with the Clerk to the Board.

16-3620 SOFTWARE LICENSING AGREEMENT

Authorize the County Manager to negotiate and execute a five-year software licensing and financing agreement with NWN Corporation.

Note: Software licensing, support and maintenance are being purchased via cooperative procurement agreement.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

16-3603 ANNEXATION OF COUNTY OWNED PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute a petition for voluntary annexation of the following County-owned properties into the municipal boundary of the City of Charlotte:

- (1)Tax Parcel 199-152-98 (+/- 42.367 acres) - Winget Regional Park
- (2)Tax Parcel 199-151-06 (+/- 11.399 acres) - Winget Nature Preserve
- (3)Tax Parcel 199-121-06 (+/- 59.68 acres) - Winget Nature Preserve
- (4)Tax Parcel 199-121-19 (+/- 5.0 acres) - Winget Nature Preserve
- (5)Tax Parcel 105-154-01 (+/- 94.76 acres) - Reedy Creek Nature Preserve
- (6)Tax Parcel 105-064-97 (+/- 1.71 acres) - Reedy Creek Nature Preserve
- (7)Tax Parcel 033-191-99 (+/- 22.39 acres) - Long Creek Greenway
- (8)Tax Parcel 033-132-21 (+/- 37.93 acres) - Long Creek Greenway
- (9)Tax Parcel 037-081-02 (+/- 62.954 acres) - Possum Walk Nature Preserve
- (10) Tax Parcel 141-181-01 (+/- 10.0 acres) - Berewick Regional Park.

Commissioner Leake removed this item from Consent for more public awareness.

**16-3605 MECKLENBURG TRANSPORTATION SYSTEM’S FEDERAL TRANSIT
ADMINISTRATION DRUG AND ALCOHOL POLICY**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett,

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Ridenhour and Scarborough voting yes, to approve and adopt the Mecklenburg Transportation System (MTS) Federal Transit Administration (FTA) Drug and Alcohol Policy.

Note: 49 CFR Part 655 requires that the program’s Drug and Alcohol Policy be approved by the Governing Board. Once approved the policy will be communicated with all Safety Sensitive employees as required.

Commissioner Leake removed this item from Consent for more public awareness.

Policy recorded in full in Minutes/Ordinance Book # _____, Document # _____.

**16-3622 FY2017 RESTRICTED CONTINGENCY: REQUEST TO RELEASE
\$31,000 TO THE LEAGUE OF WOMEN VOTERS OF
CHARLOTTE-MECKLENBURG TO FUND THE DEBATES**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the release of \$31,000 from restricted contingency to fund the recent debates produced by the League of Women Voters of Charlotte-Mecklenburg.

Note: As part of the FY2017 Adopted Budget, the Board of County Commissioners placed \$31,000 in restricted contingency for the League of Women Voters of Charlotte-Mecklenburg. The following is the language of the contingency: contingent upon the production and broadcast of debates by the League of Women Voters of Charlotte-Mecklenburg. The debates were broadcast on Sunday, October 16. Based on this language, the requirements of the restricted contingency have been met.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:10 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, November 15, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
Bill James, Vilma D. Leake, and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioners Jim Puckett and Matthew Ridenhour

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3625, 16-3638, 16-3645, and 16-3648 to be removed from Consent and voted upon separately.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to move Items 16-3645 Proclamation-Apprenticeship Week and 16-3648 Proclamation-World Pancreatic Cancer Day from the Consent section of the agenda to the Awards/Recognition section.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3635 CONSULT WITH ATTORNEY

**16-3643 TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL
PURSUANT TO G.S. 105-259. G.S. 143-318.11(A) (1)**

Prior to going into Closed Session, County Attorney Bethune announced there was no Consult with Attorney Matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and

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Scarborough voting yes, to go into Closed Session for the following purpose: To Prevent Disclosure Of Information That Is Confidential Pursuant To G.S. 105-259. G.S. 143-318.11(A) (1).

The Board went into Closed Session at 5:18 p.m. and came back into Open Session at 5:21 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3645 PROCLAMATION - APPRENTICESHIP WEEK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to adopt a proclamation proclaiming November 14 - 20, 2016 as Apprenticeship Week in Mecklenburg County.

Chairman Fuller read the proclamation, which was addressed and received by Economic Development Director Peter Zeiler.

Note: Apprenticeships and pre-apprenticeships are a vital component of the Mecklenburg County economy, offering local residents the opportunity to receive on-the-job training and to acquire job skills in industries such as manufacturing, health care, hospitality, construction, advanced manufacturing and mechatronics. These opportunities are a vital component of efforts to expand economic mobility for all residents. Mecklenburg County employers are urged to take appropriate steps to assure the development of skilled workers in our community by participating in an apprenticeship or preapprenticeship program; and employers who are now training apprentices are encouraged to strengthen and expand their apprenticeship programs.



16-3648 PROCLAMATION – WORLD PANCREATIC CANCER DAY (COMMISSIONER DUNLAP)

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to adopt a proclamation declaring November 17, 2016 as World Pancreatic Cancer Day in Mecklenburg County.

The proclamation was read by Commissioner Dunlap and received by Lori Turner with the Charlotte Pancreatic Cancer Action Network and former Mecklenburg County Manager Harry L. Jones, Sr. Former County Manager Jones asked Board members to contact their congressional representatives and ask them to wear purple on November 17 in recognition of World Pancreatic Cancer Day and to take pictures on social media, which would then be used by the Charlotte Pancreatic Cancer Action Network to encourage additional federal funding to fight the disease. Former County Manager Jones said on December 22, 2017, he would be a five-year survivor of pancreatic cancer. He thanked the Board for acknowledging World Pancreatic Cancer Day and for their service to the community.

Chairman Fuller thanked former County Manager Jones for being present and for his “courage and perseverance,” in battling his disease, which he said was “inspiring.” Chairman Fuller thanked former County Manager Jones for his service to Mecklenburg County, “large and small.” “This Board recognizes your valiant, significant, long lasting, and irreplaceable commitment and service to Mecklenburg County.” Thanks was also expressed to Mrs. Jones for her commitment and work in the community.

Commissioners Scarborough and Leake also commended former County Manager Jones for his strength and courage as he fights this disease.



PUBLIC APPEARANCE

16-3633 PUBLIC APPEARANCE

The following persons spoke during the Public Appearance portion of the agenda:

Rodney Tucker, Executive Director, Timeout Youth Center in Charlotte, said the Center was the oldest and largest LGBT youth center in the state of NC. Mr. Tucker thanked the Board for its support via the Center’s receipt of a grant through the Women’s Commission for Teen Dating Violence Awareness initiatives. Mr. Tucker noted services provided by the Youth Center. He specifically addressed the LGBT Youth Housing Program and LGBT homelessness.

Gary Ramos addressed how the LGBT Youth Housing Program assisted him with obtaining stable housing.

Shakira Clarke , Director of Youth Services, Timeout Youth Center addressed the results of a needs assessment administered by the Center with respect to housing needs for youth, as well as an assessment of service providers. She noted the following results: Housing services providers believe there’s no safe or supportive friendly housing for LGBT individuals; more training needed around the LGBT community; LGBT youth indicated they felt unsafe at local shelters. Ms. Clarke shared the following recommendations, as a result of the Needs Assessment: build a LGBT shelter in Charlotte; provide training and personal development for housing services providers so that they can be friendlier to the LGBT community and understand the issues they face; and provide LGBT housing case management.

APPOINTMENTS

16-3636 NOMINATIONS/APPOINTMENTS

Adult Care Home Advisory Committee

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to reappoint Kelly Alexander and Evelyn Moses to the Adult Care Home Community Advisory Committee for three-year terms expiring October 31, 2019.

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to nominate and appoint Vanessa Green to the Adult Care Home Community Advisory Committee for a one year term expiring October 31, 2017.

Bicycle Advisory Committee

Commissioner Clarke nominated all applicants for appointment consideration to the Bicycle Advisory Committee. They were: Don Christie, Paul DuPont, Scott Ferguson, Kathy Martin, and Chelsea Stronach.

Commissioner Scarborough noted the interest of Bryan Hall in serving, however, he had not put in an application.

Commissioner Cotham noted the interest of Alan Sussman, however, he had not put in an application.

Motion was made by Commissioner Cotham, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to allow the nominations of Bryan Hall and Alan Sussman and that staff obtain their applications.

Note: An appointment will occur on December 6, 2016.

Community Relations Committee

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to nominate and appoint David McIntyre, Jason Michel, and Vivian Mitchell to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2017.

Note: They replace Melissa Peace, Trymaine Gaither, who relocated, and Ernestine Julue.

Library Board of Trustees

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to reappoint Jennifer Appleby, Robert Harrington, Gloria Kelley, Charles Thomas, and Ed Williams to the Charlotte-Mecklenburg Library Board of Trustees for four-year terms expiring December 31, 2020.

The following persons were nominated for appointment consideration:

Ailen Arreaza by Commissioner Clarke (to fill an unexpired term expiring December 31, 2018)

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Neal Brandon by Commissioner Clarke (for a four-year term expiring December 31, 2020)
David Tucker by Commissioner Leake (for a four-year term expiring December 31, 2020)

Appointments will occur following interviews of those nominated by an ad hoc committee of the board appointed by the Chairman. This is one of several boards that require interviews of nominees. Commissioners Clarke, Leake, and Scarborough volunteered to serve on the ad hoc committee.

Note: Chairman Fuller noted that a comprehensive study would be done of all advisory boards. He asked Commissioners Dunlap, Leake, James and Puckett to serve on the Ad Hoc Advisory Boards Review Committee.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

16-3626 ABOVE & BEYOND @ WORK WINNER ANNOUNCEMENT

The Board recognized the latest Above & Beyond @ Work winner, Sonia Smith with Public Health.

Note: County Manager Diorio created the Above & Beyond @ Work Award to recognize deserving employees.

Ms. Smith thanked the Board and the County Manager for recognizing her. She expressed thanks to Dr. Plescia, Health Director and to her co-workers at the Health Department. Ms. Smith said she enjoyed her job and looked forward to coming to work every day for Mecklenburg County. Ms. Smith is an Administrative Support Coordinator with the Health Department. She has twenty-five years of dedicated service.

Commissioner Clarke left the dais and was away until noted in the minutes.

16-3595 UPDATE ON KEY INITIATIVES OF THE MECKLENBURG COUNTY SHERIFF'S OFFICE

The Board received an update from Sheriff Irwin Carmichael on key initiatives of the Mecklenburg County Sheriff's Office.

A copy of the report is on file with the Clerk to the Board.

Commissioners expressed thanks to Sheriff Carmichael for the work that he and his staff did on a daily basis. Commissioners acknowledged with much appreciation, Sheriff Carmichael’s presence out in the community.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

16-3646 DEPARTMENT MANAGEMENT MONTHLY REPORTS

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The Board received as information the monthly departmental management reports for November 2016.

Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

Commissioner Clarke returned to the dais.

STAFF REPORTS & REQUESTS

16-3647 RAMSEY CREEK PARK SWIM BEACH UPDATE

The Board received an operational summary of the first season of the Ramsey Creek Park Swim Beach.

Deputy Park and Recreation Director Michael Kirschman and Greg Clemmer with Park and Recreation gave the report.

Note: Ramsey Creek Park is a 46-acre waterfront park, located in Cornelius, that includes a swimming area, boat launch and docks, playground, picnic shelters, nature trails, fishing pier, enclosed dog park and volleyball court. This summer (Memorial Day weekend to Labor Day), the County officially opened the swim beach which can accommodate around 500 swimmers.

A copy of the report is on file with the Clerk to the Board.

Commissioners thanked Park and Recreation staff for their management of this new initiative. Thanks was expressed also to the Town of Cornelius for their assistance.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to approve the following item(s):

16-3619 BUDGET AMENDMENT - LUESA AUCTION REVENUE

Recognize, receive and appropriate revenue of \$32,655.02 from Land Use and Environmental Services Agency vehicles sold at Fleet auction on September 17, 2016.

16-3629 ITEM REMOVED: CAPITAL RESERVE EXPENDITURES - PARK AND RECREATION

16-3630 DONATIONS FOR RAMSEY CREEK PARK PIER (PARK AND RECREATION)

Recognize and appropriate to the Capital Reserve fund two donations totaling \$30,000 to improve the fishing pier at Ramsey Creek Park: \$20,000 from the Patriot Military Family Foundation and \$10,000 from the Town of Cornelius.

16-3631 GRANT APPLICATIONS - CONNECT NC BOND GRANT (PARK AND

RECREATION)

1. Approve Park and Recreation to apply for two (2) Connect NC Bond Grants for Ramsey Creek Park and Tuckaseegee Park

a) Ramsey Creek Park - Apply for a \$50,000 grant to expand the project scope already designed for the \$30,000 donation by building additional ADA paths for picnic areas around the pier

b) Tuckaseegee Park - Apply for a \$160,000 grant to expand the design of a standard playground already approved for \$90,000 in deferred capital maintenance funds by creating an accessible playground structure and add ADA trails at the park. Total project cost - \$250,000.

2. If awarded, recognize and appropriate to the capital reserve fund the grant amounts for the grant period.

16-3632 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Recognize, receive, and appropriate an increase in revenue in the amount of \$136,836.

Note: The increase is to reflect actual state, federal, and fees & charges funding. During the fiscal year, the Health Department receives notification of modified funding for programs within the department from NC Division of Public Health.

16-3634 MINUTES

Approve Minutes of Regular meeting held November 1, 2016.

16-3639 LAND ACQUISITION - STEWART CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 069-084-16 (±7.34 acres) in the City of Charlotte from Key, LLC for a future Greenway and an associated Stewart Creek Stabilization project for a purchase price of \$20,700.

16-3642 TAX REFUNDS

Approve refunds in the amount of \$129,896.90 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$6,822.91.

A list of the taxpayer recipients is on file with the Clerk to the Board.

16-3644 2016 LAND AND WATER CONSERVATION FUND - GRANT COMPLIANCE
CERTIFICATE

NOVEMBER 15, 2016

Approve Land and Water Conservation Fund (LWCF) Compliance Certification for 2016 LWCF Matching Grant for 5K cross country trails and fitness station at Little Sugar Creek and connector trail to South Mecklenburg High School.

Certification Certificate recorded in full in Minutes/Ordinance Book # _____, Document # _____.

16-3649 GRANT APPLICATION – CRIMINAL JUSTICE SERVICES

Approve the submission of a formal grant application to the Prevention and Family Recovery Grant Initiative in an amount up to \$300,000.

Note: The Doris Duke Charitable Foundation and the Duke Endowment supports the Prevention and Family Recovery Grant Initiative, which seeks to advance the capacity of Family Drug Courts and their partner agencies to provide and sustain comprehensive family-centered care to children, parents, and families affected by substance use disorders and child abuse and neglect. Applications are accepted by invitation only. If awarded, the three year grant totaling up to \$300,000 will be complemented by a dedicated PFR Change Team to provide intensive technical assistance, training and coaching. The PFR National Advisory Council provides additional expert consultation to grantees on site-specific issues, as needed.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner James left the dais and was absent for the remainder of the meeting.

16-3625 HEALTH DEPARTMENT AMENDED FEE SCHEDULE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes, to approve the new fees for the new services delivered by the Health Department and recognize, receive and appropriate an additional \$104,500 for new treatment services, vaccines and pool inspection services provided.

Commissioner Leake removed this item from Consent for more public awareness. Health Director Dr. Marcus Plescia addressed this matter.

Amended Fee Schedule recorded in full in Minutes/Ordinance Book _____, Document # _____.

16-3638 SUSAN G. KOMEN FOUNDATION GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes, to approve the Health Department’s submittal of a renewal grant application for \$150,000 to the Susan G. Komen Foundation to be effective April 1, 2017; and if awarded, recognize, receive, and appropriate awarded funds.

Note: This funding will augment the funding we currently receive from the state to provide to provide breast and cervical cancer screening for uninsured women.

Commissioner Leake removed this item from Consent for more public awareness.

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ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:17 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, December 6, 2016.

ATTENDANCE

Present: Chair Ella B. Scarborough and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett,
and Matthew Ridenhour
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chair Scarborough, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3653 and 16-3675 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3665 CONSULT WITH ATTORNEY

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16-3674 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Bethune announced the following matter to be discussed in Closed Session: Business Location and Expansion. He said there was no Consult with Attorney matter to be discussed.

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 5:29 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order and gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3670 ITEM REMOVED - ORDER OF THE HORNET INDUCTION - HARRY L. JONES, SR. (COMMISSIONER JIM PUCKETT)

Note: This item will be rescheduled.

PUBLIC APPEARANCE

16-3663 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Harold Morgan addressed property he previously owned located at 1030 Remount Road. Mr. Morgan said two billboards were located on the property, which were not included in the sale of the property. Mr. Morgan said he was "wronged" with respect to the subsequent sale of the property to the County by the person he sold the property to. He said the easements on the

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property as it related to the billboards were not recorded. Mr. Morgan said the deed should have been reformed but the lawyers involved at that time, would not do it. Mr. Morgan said he felt the County received \$73,000 more from him.

Mr. Morgan asked that the matter be investigated. He said the County's attorney, involved in the transaction, should have been honest with the County and everyone.

Dennis Watts addressed Mr. Morgan's concern. He noted the following:

- Mr. Morgan's former property located at Remount Road had two leases on it for billboards. The property was sold to Joe Purdue, the real estate only, not the leases.
- Mr. Purdue's attorney failed to record the leases after the sale.
- Mr. Purdue later sold the property to the County and the attorney handling the transaction failed to do a title search or survey and as a result, the leases weren't discovered.
- Mr. Morgan had a lease contract for about 30 years with Adams Outdoor Advertising.
- Adams Outdoor Advertising continued to pay Mr. Morgan but after about two years, it came to the County's attention about the leases.
- There was documentation from Mr. Purdue indicating that when he purchased the property from Mr. Morgan, the leases were not a part of the sale.
- Adams Outdoor Advertising had in its contract with Mr. Morgan that they could not deal with governmental agencies, yet they started paying the County rather than Mr. Morgan.
- The matter went to court and the first ruling was in favor of Mr. Morgan.
- Mr. Morgan's attorney noted the law provided that a deed could be reformed but that the County's attorney did not want to do it for reasons unknown.
- The second time the matter went to court, in an effort to get the deed reformed, the ruling was that the matter be taken to Raleigh.
- Mr. Morgan took it to the Appeals Court and it was noted in the write up, that even though Mr. Morgan did not have a formal education and could not read or write, that he should have known or his attorney should have known what was taking place; however, Mr. Morgan's broker informed all of the attorneys about the leases, but unfortunately he had since passed away.
- The Appeals Court ruled in favor of the County.
- The County later offered Mr. Morgan \$17,000 to settle the lawsuit.
- Mr. Morgan had approximately \$400,000 - \$500,000 on those leases over the next 20-30 years. Mr. Morgan was asked by the County's attorney to accept less than 5% of the value.

This concluded Mr. Watts' remarks because his time ran out.

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Commissioner Fuller asked that staff provide the Board with a report on this matter.

Richard Shaw asked the Board to intercede, on behalf of the residents of Grove Park and Ravenwood in East Charlotte with respect to Park and Recreation's plans for a neighborhood park in the area, "Linda-Lake Park." Mr. Shaw said the neighborhood needed to be given an opportunity to put a plan together for what they would like see in a neighborhood park. He said based on the current Park and Recreation plan there were about 50 families that would sustain a direct negative impact. Mr. Shaw said there was a ballot underway to find out how residents felt about the proposed park. He said voting would end on December 12th.

A copy of Mr. Shaw's remarks is on file with the Clerk to the Board.

Frank Crawford appeared on behalf of the Children's Alliance, a network of about 40 public and private agencies that serve "vulnerable" children in Charlotte/Mecklenburg. He shared that after more than 10 years of "political wrangling" it appeared the NC Legislature was going to move forward in 2017 to consider a bill called "Raise the Age in NC." He said the bill addressed the age that NC courts have jurisdiction over minors. He said currently NC was one of two states that treat 16 and 17 year olds as adults, meaning 16 & 17 year olds could be incarcerated with "seasoned" criminals and could have a criminal record for the remainder of their life. He said if the law passes the cases of 16 and 17 year olds, except in the case of serious felonies or traffic offenses, would be heard in the juvenile court system. He said the passage of the law would result in NC treating its children and youth in a much more "humane" manner. Further, it would afford kids and families an opportunity to work on the problems they faced under the jurisdiction of a court that was focused more on problem solving rather than punitive action. He asked the Board to advocate for the passage of the bill.

Mr. Crawford also addressed what happens to youth in Mecklenburg County while awaiting court action. He noted the closing of the County's juvenile detention center some years ago. He said it was unfortunate that the state had never operated a juvenile detention center in a county as large as Mecklenburg. He said it was important to keep youth close to their families. He said it would also reduce transport costs for the County. Mr. Crawford said this was another issue that he anticipated being brought up in the coming year.

Karen Simon, retired former director of Inmate Programs for the Mecklenburg County Sheriff's Office addressed the use of solitary confinement of youth, ages 16 and 17. She said President Barack Obama banned such confinement in federal prisons, as well as, the Commissioner of Adult Corrections and Juvenile Justice in the State of NC. Ms. Simon said such confinement was "inhumane." She said it had been proven that such confinement on youth could cause brain damage on a developing child. She said it did not promote rehabilitation but rather it encouraged delinquent and aggressive behavior. She shared past experiences with youth placed in solitary confinement. She said these were children that had not been to trial but

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were in the pre-trial stage and often for minor offenses. She said many of the children were in the custody of Youth and Family Services.

Anthony Abraham Sr. expressed disappointment in the decision made by Mecklenburg County District Attorney Andrew Murray in the Keith Scott case. Mr. Abraham said a cover up had occurred in the Keith Scott case. He shared photos, which he said showed one of the police officers with the gun that he said was planted at the scene. Mr. Abraham called for the firing of District Attorney Murray and asked the Board to do so immediately.

County Attorney Bethune noted for the public's awareness that the District Attorney was not an employee of the County. Thus, the Board of County Commissioners had no hiring or firing authority with respect to the District Attorney. It was noted that the District Attorney was an elected official and an employee of the State.

Commissioner Dunlap noted the following for the public's awareness, per comments made by some of the public appearance speakers:

In response to Mr. Shaw's remarks

- Park and Recreation had been diligently been working with the community about the park that was being built near the Linda Lake community.
- He's (Commissioner Dunlap) been involved in most of the discussions and meetings regarding the park.
- He's aware of the personal survey being conducted by Mr. Shaw.
- Residents of the community were upset because the survey gave the impression that it was from Park and Recreation but it was not.
- Park and Recreation plans to address the issues and provide information on what had been done and what their plans were.
- There has been opposition from persons living close to the park from the very beginning of the process, however, the community voted overwhelmingly to move forward with the park.
- There were efforts being made to "undermine" Park and Recreation's work.

In response to Mr. Crawford and Ms. Simon's remarks

- As a member and sub-committee Chair of the Juvenile Justice and Public Safety Committee of the National Association of Counties (NACo), the issues with respect to the incarceration of juveniles were national issues that were also being addressed by NACo.
- Per Ms. Simon's comments, the Board should receive a report on the current status of youth incarceration in the County and particularly those that were in the custody YFS.

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Commissioner Fuller, co-Chair of the North Carolina Association of County Commissioners Legislative Goals Steering Committee said in January the committee would be addressing the age issue at which children are placed into the adult criminal justice system.

APPOINTMENTS

16-3666 APPOINTMENTS

BICYCLE COMMITTEE

The vote was taken on the following nominees for appointment consideration to the Bicycle Committee:

Paul DuPont	Commissioner James
Scott Ferguson	Commissioner Clarke
Bryan Hall	Commissioners Cotham, Dunlap, Fuller, Puckett, and Scarborough
Kathy Martin	Commissioner Ridenhour

Chair Scarborough announced the appointment of Bryan Hall to the Bicycle Committee to fill an unexpired term, expiring March 31, 2017.

Note: He replaces Julie Chandler.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

16-3650 2016 EMPLOYEE FEST AWARD WINNERS

The Board recognized the 2016 Employee Fest award winners.

Note: Each year during Employee Fest, Mecklenburg County selects customer service heroes, the employee of the year and the team of the year.

2016 Winners

Superstars Under Pressure Award - Park and Recreation Ramsey Creek Operations Team -

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Genni Reel, Chris Hunter, Greg Clemmer, Anna Kirkland, Stephen Clark, Ann Moody and additional support staff

Team of the Year - Community Support Services Coordinated Assessment Homeless Services Team - Megan Coffey, Camallous Reid, Terry Tiamd, Bermuda Scott-Norwood and Mike Harmon

Customer Service Heroes

Service Quality Hero - Marie Campbell, Human Services Specialist for DSS

Timeliness Hero - Michael Griswold, Management Analyst for Criminal Justice Services.

Communications Hero - Laurie McShea, Administrative Coordinator for Procurement

Ethics Hero - Autumn Watson, Environmental Health Plans Examiner for Environmental Health

Courtesy and Respect Hero - Andy Herring, Mega Team Manager for Code Enforcement

Gerald G. Fox Employee of the Year Award - Major Rodney Collins, Sheriff's Office

16-3652 CEREMONIAL GAVEL PRESENTATION

County Manager Dena R. Diorio presented former BOCC Chairman Trevor M. Fuller with a ceremonial gavel for his service as chair of the Mecklenburg Board of County Commissioners during the 2014-2016 Term of Office.

Note: In December, after the conclusion of each two-year term of office for the Mecklenburg Board of County Commissioners, a ceremonial gavel is presented by the County Manager to the chair(s) serving during the two-year term of office for his or her service as chair.

16-3679 MECKLENBURG COUNTY PUBLIC HEALTH PRIORITY AREAS

The Board received a presentation on Mecklenburg County Public Health Priority Areas: Identifying and Addressing Health Disparities from Dr. Marcus Plescia, MD, MPH, Health Director. The following was covered:

- Findings from the 2016 local Behavioral Risk Factor Surveillance System (BRFSS) Survey showing health disparities between people living in public health priority areas and the remainder of the County.
- Mecklenburg communities with the highest concentrations of poverty and low educational status
- New data on health disparities in these communities

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- Potential Public Health Interventions
- Healthy Corner Stores project

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake addressed the continued need for access to healthy foods in the Public Health Priority areas. She said this was not a new issue and that it was time for more action, rather than more studies. Commissioner Leake said she would like to see grocery stores in some, if not all, of these areas.

Commissioner James asked was the County providing the food to the corner stores referenced in the video or the store owner. *Dr. Plescia said the store owners were providing the food and that the Health Department was only assisting them with marketing efforts.*

Commissioner Dunlap asked that there be consistency in the terminology used when referring to the areas addressed in the presentation. He said he was recently corrected when he used, what he thought was the correct term, “food deserts,” but was informed that term was no longer being used. *Dr. Plescia said the term that’s being used now was “priority areas.”*

Commissioner Clarke questioned the statistics listed in the presentation regarding current smoking, per the 2016 Mecklenburg Behavior Risk Factor Survey. He said CDC data showed that the number of persons who smoked was much higher for those living below the poverty level versus the number of smokers living above the poverty level.

Commissioner Clarke said he was supportive of providing and encouraging people to make healthy food choices for healthier living, but suggested if the County really wanted to make a difference and encourage people to live healthier lives, then the Board, as the Board of Health, should think about taking steps to reduce the prevalence of tobacco use. He encouraged Dr. Plescia to bring forth some more initiatives with respect to this.

Commissioner Ridenhour said the term “food deserts” was a commonly used term and personally he felt it was a good term to use, however, he would start using the correct term.

He asked about the extent of the Health Department’s marketing assistance to the corner stores, which was addressed.

Commissioner Cotham said it would be good if grocery stores could have gift cards just for produce. She asked Dr. Plescia to inquire about that. She said it would be good as well if there was a way the County could encourage grocery stores to locate into some of these areas.

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This concluded the discussion.

County Manager Diorio acknowledged the forthcoming retirement of Joe Travis with Public Information. He has been with the County for 22 years and was with the City of Charlotte for five years. Joe helps to produce the Board meetings. County Manager Diorio expressed thanks to Joe for his years of service. She said he was the guy “behind the scenes” that made meetings happen for the public’s viewing.

Joe received handclaps of thanks from Board members, others around the dais, and those in the audience.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3667 2017 BOCC MEETING SCHEDULE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the 2017 Mecklenburg Board of County Commissioners' Meeting Schedule.

Note: The schedule reflects the continuation of Regular meetings being held on the first and third Tuesday of each month at 5:00 pm (informal session) and formal session at 6:00 pm, with the exception of July and August, when only one meeting is held respectively. Budget/Public Policy meetings are now being held on the second and fourth Tuesday of each month at 3:00 pm. When holidays fall on Monday or an election day on Tuesday, meetings are scheduled for Wednesday.

A copy of the Meeting Schedule is on file with the Clerk to the Board.

16-3676 NEW ITEM - SET PUBLIC HEARING - REQUEST TO RENAME A SECTION OF LITTLE SUGAR CREEK GREENWAY (COMMISSIONER CLARKE)

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Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to receive an application submitted by Commissioner Dumont Clarke to rename a section of Little Sugar Creek Greenway located between East Boulevard and Princeton Avenue as the "Ruth Samuelson Trail on Little Sugar Creek Greenway"; and schedule a public hearing on December 20, 2016 at 6:30 p.m. to receive public comment on the proposed naming of this section of Little Sugar Creek Greenway.

Note: The Freedom Park reach of Little Sugar Creek Greenway extends approximately 1 mile from East Boulevard to Princeton Avenue. The trail winds the length of Freedom Park beside park features, residential areas and the Charlotte Nature Museum. The creek was a playground for the young Ruth Samuelson and her roots were secured along its borders. Naming this section of Little Sugar Creek in her honor is a fitting tribute to her contributions to the greenway, the environment and the community. Ruth Samuelson worked diligently on the Little Sugar Creek Action Committee and was instrumental in the master planning and development of the greenway from the beginning. She quickly became the political champion of the greenway and led the charge for funding for the project from the start of planning to the present, a span of over 15 years. Ruth also developed relationships with land owners and key developers along Little Sugar Creek, impressing on them the importance of the greenway for the larger community. The connections she developed paved the way for progress in seeking the land needed for the greenway.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3654 BUDGET AMENDMENT - PARK AND RECREATION PROGRAM REVENUES AND EXPENSES

Recognize and appropriate \$4,000 in SW Nature Preserve program revenue for the Wilderness First Aid Course.

16-3655 CAPITAL RESERVE EXPENDITURE REQUEST - PARK AND RECREATION

Authorize and appropriate expenditure of \$20,000 from the Natural Areas Capital Reserve Fund to purchase an off-road utility vehicle and other protective equipment necessary for natural community restoration activities.

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16-3656 LITTLE SUGAR CREEK GREENWAY ADJACENT TO PARK SOUTH STATION

- 1)** Authorize the County Manager to execute the Memorandum of Agreement (MOA) with J&B Development and Management, Inc., the developer of Park South Station, for receipt of funds from the developer in lieu of the developer constructing the portion of Little Sugar Creek Greenway on Tax Parcel 173-07 -159.
- 2)** Recognize, receive and appropriate \$81,956 from J&B Development and Management, Inc. in lieu of the developer constructing the portion of Little Sugar Creek Greenway on Tax Parcel 173-07-159.
- 3)** Amend the FY2016 Authorization Park and Recreation Approved in November 4, 2008 Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance as adopted October 18, 2016: BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF DECEMBER 2016:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects: See attached Exhibit A

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$152,304,856 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:
2014-2016 fiscal years \$50,500,000
2017 fiscal year 67,292,790
2018 fiscal year 26,589,000
2019 fiscal year 2,687,110
NCDOT Funding 4,154,000
NC grant 1,000,000
Other Revenue 81,956

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These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

16-3658 STORM WATER PROGRAM - FY17 VACANT FLOODPLAIN LAND ACQUISITION

Accept the donation from Henderson Belk heirs of properties located on Prince Street (tax parcel 069-071-16) and Celia Avenue (tax parcel 069-081-19).

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The referenced vacant parcel acquisitions will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcels as floodplain open space which reduces future flood risk.

16-3659 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$2,203 for Asset and Facility Management, \$2,335 for Sheriff's Office, \$1,220 for Social Services and \$2,177 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3660 LAND EXCHANGE AND EASEMENT ACQUISITION - WESTMORELAND REGIONAL PARK

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1. Adopt a resolution of intent to exchange a portion of County owned Tax Parcel 005-071-12A (±958 square feet) for a portion of Tax Parcel 005-071-22 (±958 square feet) owned by Westmoreland Lake LLC.
2. Authorize the County Manager to negotiate and execute all documents necessary to obtain a drainage easement over Tax Parcel 005-071-22 (±0.06 acres) to allow for storm water runoff from Westmoreland Regional Park to drain onto the adjacent Westmoreland Lake LLC property.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION

DECLARING INTENT TO EXCHANGE A PORTION OF TAX PARCEL 005-071-12A AT 8520 ROBBINS CRESCENT DRIVE IN CORNELIUS FOR A PORTION OF TAX PARCEL 005-071-22 AT ROBBINS CRESCENT DRIVE IN CORNELIUS

WHEREAS, the County owns Tax Parcel 005-071-12A at 8520 Robbins Crescent Drive in Cornelius, a portion of which is proposed for conveyance to Westmoreland Lake LLC (hereinafter referred to as the "County Parcel"); and

WHEREAS, Westmoreland Lake LLC ("Westmoreland") owns Tax Parcel 005-071-22, a portion of which is proposed for conveyance to Mecklenburg County (hereinafter referred to as "Westmoreland Parcel"); and

WHEREAS, Westmoreland desires to obtain the County Parcel to ensure that the storm water feature is entirely contained on its property; and

WHEREAS, as proposed by Westmoreland, the County will receive the Westmoreland Parcel and Westmoreland will receive the County Parcel; and

WHEREAS, Westmoreland had the County Parcel and Westmoreland Parcel appraised and there was no difference in value; and

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in its opinion the County will receive full and fair consideration for the County Parcel to be conveyed; and

WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of the County Parcels for the Westmoreland Parcel and to follow the statutory procedure to authorize the exchange; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners proposes to authorize the exchange of the County Parcels for the Westmoreland Parcel at its next regular meeting; directs the County Manager to negotiate a contract for the exchange; and directs the Clerk to the Board to publish the attached notice describing the properties to be exchanged, stating the estimated value of the properties, and announcing the Board's intent to authorize the exchange on December 20, 2016 at the Board's next regular business meeting.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

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16-3661 PROPERTY REPAIRS-HISTORIC LANDMARKS COMMISSION OFFICE

Recognize and appropriate \$25,527 from the Historic Landmarks Commission revolving fund for needed repairs to the Historic Landmarks Commission Office (Ratcliffe-Otterbourg House, 2100 Randolph Road, Charlotte, NC.

16-3662 LAND EXCHANGE - BRIAR CREEK PROPERTY

Adopt a resolution of intent to exchange a portion of County owned Tax Parcel 129-024-09 (+ 1,250 square feet) for a portion of Tax Parcel 129-024-08 (+1,250 square feet).

Note: NR Morningside Property Owner I, LLC, the owner of Tax Parcel 129-021-10, approached the County with a proposal to exchange approximately 1,250 SF of the adjacent County-owned Tax Parcel 129-024-09 for approximately 1,250 SF of Tax Parcel 129-024-08, which NR Morningside Property Owner I, LLC has contracted to purchase. The exchange will result in an increase in the size of tax parcel 129-024-10 which straddles the eastern boundary of the County's parcel (129-024-09).

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION**

**DECLARING INTENT TO EXCHANGE A PORTION OF TAX PARCEL 129-024-09 IN THE MORNINGSIDE
NEIGHBORHOOD OF CHARLOTTE FOR A PORTION OF TAX PARCEL 129-024-08 IN CHARLOTTE**

WHEREAS, the County owns Tax Parcel 129-024-09 located along Briar Creek in the Morningside neighborhood of east Charlotte, and NR Morningside Property Owner I, LLC owns the adjacent Tax Parcel 129-024-10 and will obtain ownership of Tax Parcel 129-024-08, both in the same neighborhood and located on either side of County owned Tax Parcel 129-024-09; and

WHEREAS, NR Morningside Property Owner I, LLC desires to obtain 1,250 SF of County owned Tax Parcel 129-024-09 (hereinafter referred to as the "County Exchange Parcel") in exchange for 1,250 SF of Tax Parcel 129-024-08 (hereinafter referred to as "NR Morningside Exchange Parcel") that it will obtain ownership of, so that it can add the County Exchange Parcel to Tax Parcel 129-024-10 for development of single family residential lots; and

WHEREAS, the County's Park and Recreation Department and Storm Water Services reviewed the proposed exchange and determined that exchanging the properties does not negatively impact the County's future use of its property along Briar Creek; and

WHEREAS, the County Exchange Parcel and the NR Morningside Exchange Parcel were appraised and both were valued at \$7,500; and

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in

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its opinion the County will receive full and fair consideration for the County Exchange Parcel to be conveyed to NR Morningside Property Owner, LLC; and

***WHEREAS**, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and*

***WHEREAS**, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of the County Exchange Parcel for the NR Morningside Exchange Parcel and to follow the statutory procedure to authorize the exchange; now, therefore, be it*

***RESOLVED** that the Mecklenburg County Board of Commissioners proposes to authorize the exchange of the County Exchange Parcel for the NR Morningside Exchange Parcel at its next regular meeting; authorizes the County Manager to negotiate a contract for the exchange; and directs the Clerk to the Board to publish the attached notice describing the properties to be exchanged, stating the estimated value of the properties, and announcing the Board's intent to authorize the exchange on December 20, 2016 at the Board's next regular business meeting.*

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

16-3664 MINUTES

1) Approve Minutes of Regular meeting held November 15, 2016 and Closed Session held November 15, 2016; and

2) Authorize the Clerk to amend the minutes of Regular meeting held October 18, 2016, Item 16-3581, to change the date of the FY2016 Authorization Park and Recreation Approved In November 5, 2008 Referendum Capital Project Ordinance to the correct date of November 4, 2008.

16-3668 TAX REFUNDS

1) Approve refunds in the amount of \$12,674.49 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$34,341.81 and interest as statutorily required to be paid as requested by the County Assessor.

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Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$1,068.23.

A list of the taxpayer recipients is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Clarke left the meeting and was absent for the remainder of the meeting.

16-3653 BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$300 to the Sheriff's Office received from a bereaved family member.

Note: On October 1, 2000, the Mecklenburg County Sheriff's Office (MCSO) started providing funeral escorts for the community at a time when the Charlotte-Mecklenburg Police Department (CMPD) could no longer provide the service. Since that time, our officers have provided over 15,000 escorts and have received many acknowledgements for outstanding and courteous service from grateful families. One such family has made a \$300 donation as an expression of "...my thanks to the officers who escorted my husband to his resting place... on September 25. I know that at the time you were very busy and stretched thin with the unrest in uptown. We are so grateful to you for all that you do." MCSO will use these funds to host a breakfast recognizing the extraordinary service provided by the many officers that have worked at least one hour of funeral escort service.

Commissioner Leake removed this item from Consent for more public awareness.

16-3675 MECKLENBURG COUNTY REGISTER OF DEED'S BOND

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to acknowledge receipt of \$10,000 bond on Thursday, December 1, 2016 for Mecklenburg County Register of Deeds Fredrick Smith and a modified bond in the

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amount of \$50,000 on December 6, 2016 and approve said bond as required by G.S. 161-4(a) in the amount of \$50,000.

Note: N.C.G.S. Article 1. Register of Deed's Bond § 161-4(a). Bond required.

The Register of Deeds shall give bond with sufficient surety, to be approved by the board of county commissioners, in a sum of not less than ten thousand dollars (\$10,000) nor more than fifty thousand dollars (\$50,000), payable to the State and conditioned for the safekeeping of the books and records, and for the faithful discharge of the duties of his office. The bond and surety required under subsection (a) shall further be conditioned for the safekeeping of the books and records and of the faithful discharge of the duties of office of the register of deeds by any incumbent assistant and deputy register of deeds appointed prior to the vacancy pursuant to G.S. 161-6 and holding over after vacancy in the office of register of deeds for the interim, as provided in G.S. 161-5(b). The board of county commissioners in every county shall take and approve the official bond of the register of deeds, which they shall cause to be registered and the original deposited with the clerk of superior court for safekeeping. The bond shall be taken on the first Monday of December next after the election. The \$10,000 Bond for Mecklenburg County Register of Deeds, Fredrick Smith was received by the Clerk to the Board on Thursday, December 1, 2016 and the \$50,000 bond on Tuesday, December 6, 2016.

Commissioner Leake removed this item from Consent for more public awareness.

A copy of the Bonds is on file with the Clerk to the Board.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:46 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, December 20, 2016.

ATTENDANCE

Present: Chair Ella B. Scarborough and Commissioners
Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett,
and Matthew Ridenhour
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chair Scarborough, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3672, 16-3680, 16-3682, 16-3685, 16-3686, 16-3694, and 16-3700 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3699 CONSULT WITH ATTORNEY

County Attorney Bethune said there were no matters to be discussed in Closed Session.

Note: The Board only dined during this time.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

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Chair Scarborough called this portion of the meeting to order and gave the invocation which was followed by introductions, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

16-3670 ORDER OF THE HORNET INDUCTION - HARRY L. JONES, SR. (COMMISSIONER JIM PUCKETT)

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough, voting yes, to induct Harry L. Jones, Sr. into the Mecklenburg County Order of the Hornet.

Commissioners expressed thanks to Mr. Jones for his leadership and work in the community.

Prior to the above vote, the following persons spoke in support of Mr. Jones' induction into the Order of the Hornet: H. Parks Helms (former Chairman of the Board of County Commissioners) and retired County employees Brian Cox (former Director of IT), Harry Weatherly (former Finance Director), Bobby Cobb (former Deputy Health Director), and Sandra Bisanar (former Deputy County Attorney).

Mr. Jones thanked the Board for bestowing this honor upon him.

Note: The Order of the Hornet was established in 1972. It is bestowed by the Board of County Commissioners on persons who have displayed valor or high order of service uniquely and specifically to the citizens of Mecklenburg County. This is the highest honor bestowed by the Board. The Order of the Hornet was founded in the spirit of the early Mecklenburg patriots who signed the Mecklenburg Declaration of Independence on May 20, 1775, and proclaimed the County's freedom from Britain more than a year before the U.S. Declaration of Independence was signed. Those early patriots valiantly fought for their independence during the Revolution and gave Lord Cornwallis such difficulties during his occupation of Charlotte, that he termed the town a "hornet's nest" of rebellion. Because Harry L. Jones, Sr. reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, he was recommended for membership in the Order of the Hornet. Mr. Jones served as the fourth county manager of Mecklenburg County from 2000 to 2013. His accomplishments as a former County Manager of Mecklenburg County include, but weren't limited to, recruitment, hiring, and retaining a high performing professional staff; recommending a debt diet to assist in managing the Great Recession revenue pinch; creation of a debt service fund; creation of the County's balanced scorecard -the tool the county used to manage for results; his work with the Board and Criminal Justice Partners to plan, construct, fund and properly locate the Mecklenburg County Courthouse after passage of the 1999 Bond Referendum; and Mecklenburg County's leadership role in providing coordinated human services to the displaced Hurricane Katrina displaces. Prior to being named county manager, he served as an assistant county manager for Mecklenburg County. He has had a long and varied career in public administration having served as an Assistant City Manager for the City of Dallas, Housing Compliance Director, Court Services Director and Housing and Neighborhood Services Director for the City of Dallas; Community Development Director for the City of Charlotte; and Executive Director of the Fayetteville (NC) Metropolitan Housing Authority. In November 2006, he was elected a fellow to The National Academy of Public Administration, an independent, non-partisan organization chartered by Congress to assist federal, state, and local governments in improving their effectiveness, efficiency, and accountability. He has served on the University of North Carolina at Chapel Hill Board of Visitors and as President of the National Forum for Black Public Administrators. He has served on the board of directors of Metro-YMCA of Greater Charlotte, the Wachovia Championship, Champions for Education, Inc., United Way of Central Carolinas (ex-officio), and the Charlotte Regional Partnership (ex-officio). He holds a master's degree in public administration and a

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bachelor’s degree in political science from the University of North Carolina at Chapel Hill. He earned an associate of arts degree from Sandhills Community College in Pinehurst, NC. Mr. Jones has also written a book entitled, "How Cancer Cured My Soul." Mr. Jones is a native of Southern Pines, NC. He and his wife, Becky, have four children: Ebony, LaHari, Reina, and Harry Jr.

16-3696 RECOGNITION OF AQUATIC TEAM - MECKLENBURG COUNTY AQUATIC CENTER

The Board recognized and thanked members of the aquatic staff for stellar performance during a medical emergency at the Mecklenburg County Aquatic Center.

Note: On November 16, 2016, Mr. Bruner, a member of the Mecklenburg County Aquatic Center, suffered a heart attack in the pool. The actions of Lifeguard Karen Black, Front Desk Assistant Sharla Moore, Administrative Assistant Venetrese Samuel, and Facility Manager Matt Jakubowski saved Mr. Bruner’s life.

PUBLIC APPEARANCE

16-3687 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Richard Shaw spoke in opposition to current plans for a proposed neighborhood park, “Linda Lake Park.” He said he was speaking on behalf of the residents of Grove Park and Ravenwood in East Charlotte. He asked the Board to put the project on hold.

A copy of a handout from Mr. Shaw outlining concerns is on file with the Clerk to the Board.

Karen Simon expressed concern for youth being placed in solitary confinement in Mecklenburg County

Dr. Sandy Hoagland expressed concern about the selection of Commissioner Scarborough as the Board’s new chairman.

APPOINTMENTS

16-3703 NOMINATIONS/APPOINTMENTS

COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Leake seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Colin Pinkney and Joseph Raines to the Community Relations Committee to fill unexpired terms expiring July 31, 2017 and Felicia Thompkins to fill an unexpired term expiring December 31, 2018.

Note: They replace Trevor Beauford, Scott Bishop, and Christopher Jones.

HUMAN RESOURCES ADVISORY BOARD

The following persons were nominated for appointment consideration to the Human Resources Advisory Board:

Theodore Edwards	by Commissioner Leake
Carole Isom-Barnes	by Commissioner Puckett
Jacqueline Moss	by Commissioner Leake

Note: An appointment will occur on January 4, 2017.

Commissioner Dunlap asked for clarity with respect to why the Human Resources Advisory Board’s by-laws indicate they’re to make a recommendation to the Board for appointments when there were other boards whose by-laws did not indicate that.

Note: The Human Resources Advisory Board recommended the appointment of Carole Isom-Barnes.

County Attorney Bethune said he would provide an explanation when the matter returned to the Board for consideration.

REGION F AGING ADVISORY COMMITTEE

Motion was made by Commissioner James seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Irene Phillips to the Region F Aging Advisory Committee as an alternate representative for a one year term expiring December 31, 2017.

Note: She replaces Michelle Lucas-Webb.

16-3715 APPOINTMENTS - LIBRARY BOARD OF TRUSTEES

Commissioner Clarke presented the Board’s Ad Hoc Appointment Committee’s recommendation for appointments to the Library Board of Trustees. It was noted the Committee voted unanimously to recommend the appointment of Brandon Neal and Ailen Arreaza.

Motion was made by Commissioner Clarke seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Ailen Arreaza to the Library Board of Trustees to fill an unexpired term expiring December 31, 2018.

Note: She replaces Eric Freedman who resigned.

The vote was then taken on the other nominees for appointment consideration to the Library Board of Trustees.

Brandon Neal	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough
	<i>Voting ceased</i>

David Tucker

Chair Scarborough announced the appointment of Brandon Neal to the Library Board of Trustees for a four-year term expiring December 31, 2020.

Note: He will replace Charles Bowman, who will have served two consecutive terms as of December 31, 2016.

PUBLIC HEARINGS

16-3673 PUBLIC HEARING - BUSINESS INVESTMENT GRANT: SNYDER’S-LANCE, INC.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Snyder’s-Lance, Inc.

The matter was presented by Economic Development Director, Peter Zeiler.

No one appeared to speak.

Note: Snyder's-Lance, Inc. is the second largest salty snack maker in the United States. Snyder's-Lance acquired Diamond Foods in February 2016. As a result of the acquisition, Snyder's-Lance is considering a product expansion at its Charlotte facility that would bring a new product line to its plant located on South Boulevard. Snyder's-Lance's proposed project meets all the following grant guidelines for a five-year Business Investment Grant, specifically:

- A taxable investment of \$38,000,000 to be completed in the next three years
- Creation of 130 new jobs with an average wage of \$45,000 (which is equal to 105% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.)
- There is competition for this project from Stockton, California and Columbus, Georgia

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to close the public hearing on a proposed Business Investment Program grant to Snyder’s-Lance, Inc. and adopt a resolution approving a Business Investment Program grant to Snyder’s-Lance, Inc. for a total estimated amount of \$1,075,500.00 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR SNYDER’S-LANCE, INC.**

WHEREAS, Snyder’s-Lance, Inc. is considering a product expansion at their Facility in Charlotte, NC; and

WHEREAS, the company evaluated sites in Stockton, California and Columbus, Georgia; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on September 06, 2016 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board’s stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$38 million and will create 130 new jobs within five years at an average annual salary of approximately \$45,000. The Business Investment Program grant is a 90% grant over 5 years, with an estimated total amount of up to \$1,075,500.00. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Ordinance/Minute Book _____, Document #_____.

16-3706 PUBLIC HEARING - BUSINESS INVESTMENT GRANT: LENDING TREE, LLC

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Lending Tree, LLC.

The matter was presented by Economic Development Director, Peter Zeiler.

No one appeared to speak.

Note: Founded in Charlotte in 1996, Lending Tree is a leading online marketplace with one of the largest networks of lenders for home mortgages, personal loans, credit cards, business, automobile and student loans. The Company headquarters is located in Charlotte and employs 287 persons. Marketing headquarters is located in Burlingame, California. Rapid growth has created a need to expand its current headquarters. Expansion allows the company to consider consolidating its marketing headquarters with corporate headquarters. Existing 287 positions are at risk for relocation. Lending Tree proposed project meets all the following grant guidelines for a five-year Business Investment Grant specifically:

- *A taxable investment of \$22,008,521 to be completed in the next three years*
- *Creation of 314 new jobs with an average wage of \$81,857 (which is equal to 169% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.)*
- *There is competition for this project from Lancaster, SC, Round Rock, TX and Nashville TN.*

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on a proposed Business Investment Program grant to Lending Tree, LLC. and adopt a resolution approving a Business Investment Program grant to Lending Tree, LLC for a total estimated amount of \$417,586 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR LENDING TREE, LLC**

WHEREAS, *Lending Tree, LLC will expand its headquarters in Charlotte, NC; and*

WHEREAS, *the company evaluated sites in Lancaster, SC, Round Rock, TX; and Nashville TN; and*

WHEREAS, *this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on October 18, 2016 and as authorized by the Board, the County communicated this information to the company; and*

WHEREAS, *taking into consideration the Board’s stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$22,008,521 and will create 314 new jobs within Five years at an average annual salary of approximately \$81,857. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to \$417,586. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and*

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***WHEREAS**, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it*

***RESOLVED** that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.*

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

16-3707 PUBLIC HEARING - BUSINESS INVESTMENT GRANT: JELD-WEN WINDOWS & DOORS

Motion was made by Commissioner Fuller, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Jeld-Wen Windows & Doors.

The matter was presented by Economic Development Director, Peter Zeiler.

No one appeared to speak.

Note: Jeld-Wen, Inc. is one of the world’s leading manufacturers of doors and windows. It has 20,000 employees on five continents, 9,500 in United States. Jeld-Wen had revenue of \$3.5 billion in 2015. It moved its executive headquarters from Oregon to Charlotte in 2012 to be closer to East Coast customers. The company currently employs 157 at its corporate headquarters in Charlotte and 260 employees in McDowell & Davidson Counties manufacturing sites. Jeld-Wen is seeking to construct a new headquarters campus to include 120,000 square feet of Class A office and training space with a 90,000 sf office and 30,000 sf research and development/showroom. Jeld-Wen proposed project meets all the following grant guidelines for a five-year Business Investment Grant, specifically:

- *A taxable investment of \$38,000,000 to be completed in the next three years*
- *Creation of 206 new jobs with an average wage of \$75,000.00 (which is equal to 155% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).*
- *There is competition for this project from York and Lancaster Counties in South Carolina and Kiamath Falls, Oregon*

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes and Commissioners Puckett and Ridenhour voting no, to close the public hearing on a proposed Business Investment Program grant Jeld-Wen Windows & Doors and adopt a resolution approving a Business Investment Program grant to Jeld-Wen Windows & Doors for a total estimated amount of \$685,351 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR JELD-WEN WINDOWS & DOORS**

***WHEREAS**, Jeld-Wen Windows & Doors plan to construct a new headquarters campus in Charlotte, NC; and*

***WHEREAS**, the company evaluated sites in York and Lancaster Counties in South Carolina and Kiamath Falls, Oregon and*

***WHEREAS**, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners*

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voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on October 18, 2016 and as authorized by the Board, the County communicated this information to the company; and

***WHEREAS**, taking into consideration the Board’s stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$35 million and will create 206 new jobs within Five years at an average annual salary of approximately \$75,000. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to \$685,351. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and*

***WHEREAS**, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it **RESOLVED** that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.*

Resolution recorded in full in Ordinance/Minute Book _____, Document #_____.

16-3708 PUBLIC HEARING - RENAMING REQUEST FOR A PORTION OF URBAN LITTLE SUGARCREEK GREENWAY (COMMISSIONER CLARKE)

Motion was made by Commissioner Clarke, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing on request to rename a portion of Urban Little Sugar Creek Greenway to "Ruth Samuelson Trail on Little Sugar Creek Greenway" from East Boulevard to Princeton Avenue.

No one appeared to speak.

Note: The Freedom Park reach of Little Sugar Creek Greenway extends approximately 1 mile from East Boulevard to Princeton Avenue. The trail winds the length of Freedom Park beside park features, residential areas and the Charlotte Nature Museum. The creek was a playground for the young Ruth Samuelson and her roots were secured along its borders. Naming this section of Little Sugar Creek in her honor is a fitting tribute to her contributions to the greenway, the environment and the community. Ruth Samuelson worked diligently on the Little Sugar Creek Action Committee and was instrumental in the master planning and development of the greenway from the beginning. She quickly became the political champion of the greenway and led the charge for funding for the project from the start of planning to the present, a span of over 15 years. Ruth also developed relationships with land owners and key developers along Little Sugar Creek, impressing on them the importance of the greenway for the larger community. The connections she developed paved the way for progress in seeking the land needed for the greenway. Ruth Samuelson also served on the Mecklenburg County Board of Commissioners from December 2000 – December 2004 representing District 5.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on request to rename a portion of Urban Little Sugar Creek Greenway to "Ruth Samuelson Trail on Little Sugar Creek Greenway" and approve the renaming of a portion of Urban Little Sugar Creek to "Ruth Samuelson Trail on Little Sugar Creek Greenway" from East Boulevard to Princeton Avenue.

ADVISORY COMMITTEE REPORTS

16-3671 HOUSING ADVISORY BOARD OF CHARLOTTE-MECKLENBURG 2016 REPORT

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The Board received a briefing on progress in 2016 from the Housing Advisory Board of Charlotte-Mecklenburg. Joe Penner, advisory board chairman, gave the report.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake thanked the committee for its work and for attending the last meeting of the Board’s Health and Human Services committee, which she chaired. Commissioner Leake also acknowledged the Salvation Army for its housing program.

Commissioner Leake noted that another housing presentation had been scheduled for March of 2017 and that she hoped the new Health and Human Services committee of the Board would allow that to happen. Commissioner Leake said if not, she would have the presentation done in another setting.

Commissioner Dunlap said affordable housing was a topic of interest that he’d like to see discussed at the Board’s retreat in January. *County Manager Diorio said it would be.*

Commissioner Cotham thanked the committee for its work.

Commissioner Fuller asked what the challenges were associated with the Ten-Year initiative to end homelessness that caused the initiative to be extended beyond the ten years. He asked that a response be provided at a later date.

Note: This concluded the presentation. The above is not inclusive of every comment but is a summary.

MANAGER’S REPORT

**16-3704 ORDINANCE AMENDMENT- FY 2017 AUTHORIZATION SCHOOL FACILITIES
CAPITAL PROJECT ORDINANCE**

Wanda Reeves, Finance Director addressed a proposed amendment to the FY17 Authorization School Facilities Capital Project Ordinance. She was assisted by Carol Stamper with Charlotte-Mecklenburg Schools.

Note: This capital project ordinance amendment revises the advanced projects identified by CMS and approved by the Board of County Commissioners September 6, 2016. The County’s financial commitment does not change; however, the Marie G. Davis School project is replaced by an ESpecialty School on the Old Statesville Road Elementary site. This initial funding of acquisition and design positioned CMS to be ready to take advantage of the passage of a November 2017 bond referendum. The Board of Education approved this revision at its December 13, 2016 meeting.

Comments

Commissioner Leake asked about Marie G. Davis renovations and E. E. Waddell.

It was noted that no changes were occurring with respect to E.E. Waddell. Ms. Stamper said E.E. Waddell would continue to be on CMS’ capital improvement plan to be opened as a high school. A specific timeframe could not be given. Ms. Stamper said it would depend upon the bond referendum amount and the cash flow allocation that’s yet to be determined.

Commissioner Leake questioned why Marie G. Davis was not being referred to as the Military

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Leadership Academy and asked was it being closed. *The response was that it was not being closed.*

Ms. Stamper said the 9-12 component was going to be was going to be co-located at Hawthorne. Thus, Marie G. Davis would become a K-8 school and would allow for the expansion of the IB program and other opportunities for students attending.

Commissioner Leake questioned why changes always occurred on the “west side.” She said the “west side” wanted quality. She said residents were not pleased with the decisions that had been made by the Board of Education.

Commissioner James asked about “new high school south” and was the location known. *The response was no that CMS was in the process of locating land for that purpose.*

Note: This concluded the presentation. The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Leake voting no, to approve the amendment to the FY 2017 School Facilities Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 AUTHORIZATION SCHOOL FACILITIES
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of FY2017 Authorization School Facilities Capital Project Ordinance:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY OF DECEMBER 2016:

Section I. *That for the purpose of providing funds, together with any other available funds, for the following projects:*

Land Acquisition	\$22,500,000
<i>(3 new elementary schools, 1 new high school, Shamrock Gardens ES, Briarwood ES)</i>	
Design/Preconstruction	\$10,750,000
<i>(Collinswood K8, Harding HS, EC Specialty, Montclair ES, new K8 – South, New K8 – North)</i>	

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, \$33,250,000 is hereby appropriated.

Section II. *That it is estimated that the revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:*

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

<i>2016-2017 fiscal year</i>	<i>\$33,250,000</i>
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Section III. *That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged at which time repayment, if required, will be made: and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.*

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

16-3710 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received the monthly departmental management reports for December 2016.

Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

STAFF REPORTS & REQUESTS

16-3701 MECKLENBURG COUNTY BOARD OF COMMISSIONERS' 2017 LEGISLATIVE AGENDA

Legislative Affairs Liaison Jonathan Sink presented the Board's proposed 2017 Legislative Agenda.

STATE LEGISLATIVE AGENDA

EARLY CHILDHOOD EDUCATION

BACKGROUND: Early childhood education better prepares children for kindergarten. Currently, there is a waiting list of 1,750 children who cannot access a NC pre-kindergarten education in Mecklenburg County. At the same time, Tier 3 counties like Mecklenburg have a lower child care reimbursement rate for licensed child care programs even though they serve a higher proportion of children. A lower subsidy reimbursement rate means that fewer families have access to childcare in Tier 3 counties. There are currently 2,600 children (ages 0-4) on the child care subsidy waiting list.

OBJECTIVE: Secure local pilot legislation that would fund Pre-K in a way that eliminates the existing waitlist for four-year-olds in Mecklenburg County. Seek legislative parity for Tier 1-3 counties as it relates to market rate increases to the child care subsidy rate.

MEDICAID REIMBURSEMENT FOR INMATES IN LOCAL JAILS

BACKGROUND: NC DHHS policy costs Mecklenburg County \$1 million annually for inmates of local, county, juvenile detention centers, and federal prisons. DHHS terminates Medicaid benefits for these inmates, while only suspending benefits for those in state facilities. Because the inmates that Mecklenburg County houses are in local confinement facilities, Mecklenburg County is left with a \$1 million annual bill because State Medicaid does not reimburse the County for inmates whose Medicaid benefits have been deemed terminated.

OBJECTIVE: Streamline the language in the DHHS Family and Children's Medicaid Manual §3360 so that benefits for local inmates are suspended rather than terminated, thereby allowing reimbursement to counties for inmates' out-of-facility medical expenses.

DOMESTIC VIOLENCE PROTECTION ORDER ONLINE DATABASE

BACKGROUND: County staff, school staff, and other members of the public cannot currently search any publicly accessible database to determine whether an individual has a domestic violence protection order out against them. In many cases, the defendant against whom a victim has taken out an order shows up at a County or school facility when they have no right to be that close to their child or spouse.

OBJECTIVE: Provide for a state-run, searchable database that would provide the public with

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access to information showing whether there is a valid 50-B or 50-C order has been issued against someone, so long as the state barred use of such database for employment purposes.

WATER RESOURCES AT THE LOCAL LEVEL

BACKGROUND: Local ordinances have been adopted at the local level to prevent the loss of property and life due to flooding, as well as, improve water quality. These ordinances were developed based on local, scientific data and with significant stakeholder input.

OBJECTIVE: Ensure that future regulatory reform measures do not limit the County and other local municipal bodies to adopt or modify ordinances that prevent flooding and improve water quality.

ELIMINATE THE BARREL CAP ON SMALL BUSINESS CRAFT BREWERIES

BACKGROUND: North Carolina law currently forces small business craft breweries to abandon self-distribution and switch to using a distributor to deliver all of their product after reaching a production level of 25,000 barrels. Switching to a wholesale distributor is preventing these small businesses from expanding on their own while also cutting into 30% of these small businesses' revenues.

OBJECTIVE: Repeal N.C.G.S. 18B-1104(B), which would eliminate the 25,000-barrel cap on small business craft breweries and allow them to expand on their own.

FEDERAL LEGISLATIVE AGENDA

EXPAND ONLINE ACCESS FOR VETERANS' SERVICES

BACKGROUND: Currently, veterans are forced to travel in person to access many of their benefits, including pension information. There is a limited number of services that can be accessed online and veterans are increasingly able and in need of remote access due to disabilities or other travel limitations.

OBJECTIVE: Allow for maximum remote access for veterans to access their VA benefits, including but not limited to accessing their E-Benefits and pension information, without having to show up in person at a county facility.

PURSUE AVAILABLE FEDERAL GRANT OPTIONS

BACKGROUND: County staff and its federal lobbyists have identified about 40 viable grant options for the County to explore and apply for, as deemed prudent and necessary by staff leadership.

OBJECTIVE: Pursue federal grant opportunities to the maximum extent needed to supplement already-existing programs and funds without compromising the sustainability of the County's programs.

Comments

Commissioner Dunlap said he was supportive of early childhood education, but he was concerned about the language used in the objective statement. He specifically referenced the phrase "Seek legislative parity for Tier 1-3 counties." Commissioner Dunlap said it was a sensitive issue statewide when Mecklenburg County is compared to many of the eastern and rural counties. He suggested the language be revised somehow.

Commissioner Dunlap said the pursuit of available federal grant options should perhaps be deleted as a specific item under the federal legislative agenda because the County's lobbyist would do that anyway.

Commissioner Dunlap noted also that the Centralina Council of Governments (COG) actively

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pursued federal grants for the region when appropriate.

Commissioner Fuller echoed Commissioner Dunlap's remarks regarding the parity issue. He said many NC counties felt that Mecklenburg County already had advantages and weren't "deserving" of any more "advantages." Commissioner Fuller said if the language read in the context of Mecklenburg County being a "victim" there would probably be some issues with that.

Commissioner Fuller suggested the language be changed to reflect more of a regional approach or statement.

Commissioner Fuller spoke in support of the elimination of the barrel cap on small business craft breweries. He thanked Commissioner Ridenhour for bringing the matter to the Board's attention.

Commissioner Fuller echoed Commissioner Dunlap's remarks regarding having the pursuit of available federal grant options as a legislative item. He said the pursuit of grants should occur automatically.

Commissioner Ridenhour addressed why the legislative agenda item regarding the elimination of the barrel cap on small business craft breweries was important.

Commissioner James said he was okay with the legislative goals presented but with respect to Water Resources AtThe Local Level, he felt the legislature may have other ideas. He said they may be moving towards more unified control.

Commissioner Puckett said the redistribution of sales tax issue probably should be on the list and addressed why that was such an important issue.

Commissioner Dunlap noted in response to Commissioner Puckett's concern that the North Carolina Association of County Commissioners in its legislative agenda was not supporting the sales tax redistribution matter. Thus, agreeing with Commissioner Puckett's concerns.

Commissioner Leake spoke in support of the Early Childhood Education legislative request. She asked for clarity with respect to the Domestic Violence Protection Order Online Database legislative item, which was addressed.

Commissioner Leake expressed reservations with respect to the Eliminate the Barrel Cap on Small Business Craft Breweries legislative item as it related to the impact of this on minority businesses. Commissioner Leake said there needed to be equity in the process.

Commissioner Leake with respect to the Expand Online Access For Veterans' Services legislative item, questioned why the Veterans Administration building on Tyvola Road was not opened 24 hours. She asked staff to find out why the facility was not opened beyond 5:00 p.m.

Commissioner Cotham asked for clarity with respect to the Domestic Violence Protection Order Online Database legislative item, which was addressed. She suggested staff speak with someone in the court system regarding this issue as well.

Note: The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt the Board's 2017 Legislative Agenda as presented by staff.

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3669 NCACC LEGISLATIVE GOALS CONFERENCE

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to select Commissioner Trevor Fuller as the Board’s voting delegate at the NC Association of County Commissioners (NCACC) Legislative Goals Conference, January 12-13, 2017 to be held at the Raleigh Marriott Crabtree Valley in Wake County, 4500 Marriott Drive, Raleigh, NC.

16-3724 RESOLUTION EARLY CHILDHOOD EDUCATION IN MECKLENBURG COUNTY (COMMISSIONER TREVOR M. FULLER)

Commissioner Fuller presented a resolution entitled: A Resolution Declaring That The Mecklenburg Board of County Commissioners Supports Early Childhood Education For All Children From Birth to Age Five In Mecklenburg County.

It was noted that only 40% of third grade children in Mecklenburg County read proficiently, according to the National Center on Education Statistics, and only a small proportion of children in the County received any kind of early childhood education. Universal access to high quality early childhood education in Mecklenburg County will help decrease achievement gaps, decrease generational poverty, and increase graduation rates of students in the County. Third grade reading proficiency is a key economic mobility indicator.

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap, to adopt a resolution entitled: A Resolution Declaring That The Mecklenburg Board of County Commissioners Supports Early Childhood Education For All Children From Birth to Age Five In Mecklenburg County.

A RESOLUTION DECLARING THAT
THE MECKLENBURG BOARD OF COUNTY COMMISSIONERS
SUPPORTS EARLY CHILDHOOD EDUCATION FOR ALL CHILDREN FROM BIRTH TO AGE FIVE
IN MECKLENBURG COUNTY

WHEREAS, only 40% of third grade children in Mecklenburg County read proficiently, according to the National Center on Education Statistics, and only a small proportion of children in the County receive any kind of early childhood education; and

WHEREAS, third grade reading proficiency is a key economic mobility indicator; and

WHEREAS, children who are not reading proficiently by the third grade are less likely to succeed academically, graduate from high school, or be ready to succeed in college and in careers; and

WHEREAS, the evidence shows that increased third grade reading proficiency reduces rates of arrest and incarceration, reduces the use of social services, increases rates of employment, and increases likelihood of home ownership; and

WHEREAS, research indicates that the fastest rate of brain development occurs during a child’s earliest years, that high quality early childhood programs improve children’s cognitive, language, social, and emotional skills, and that children who enter school ready to learn have an improved approach to learning and an increased likelihood of reaching the middle class by age 40; and

WHEREAS, according to a study by the Brookings Institution, pre-school attendance ranks among the strongest success factors that influence the school-readiness of children from low-income families. In fact, children who attend some form of pre-school at age four are nine percentage points more likely to be school-ready than other children; and

WHEREAS, ensuring access to high quality early childhood education for children has proven to be one of the soundest educational investments the public can make, providing demonstrated, significant, and long-term savings in community costs for special education, grade retention, social services, and crime; and

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WHEREAS, universal access to high quality early childhood education in Mecklenburg County will help decrease achievement gaps, decrease generational poverty, and increase graduation rates of students in the County; and

WHEREAS, Mecklenburg County receives a total of \$46.24 million annually for child care subsidies from federal, state and local sources. Much of this funding is federal and supports child care subsidies for children ages birth to twelve. Smart Start (state) funds, totaling just over \$5 million, support child care subsidies for children birth to five years of age only; and

WHEREAS, Charlotte Mecklenburg Schools spends \$22.3 million on its Bright Beginnings program, which currently serves 2,850 four-year-old children. The County receives \$9.1 million in NC Pre-K funds, which serves 1,006 four-year-old children. Mecklenburg County only has 556 children in the Head Start program, with 659 children on the waiting list; and

WHEREAS, there are 69,790 children ages birth to five years old in Mecklenburg County, and the funds received by the County currently enable only 3,774 children from birth to five years of age to be served by Mecklenburg's child care subsidy program and 2,663 children ages birth to five remain on the county's waiting list for child care subsidy; and

WHEREAS, on November 1, 2016, the Mecklenburg Board of County Commissioners recognized, received and appropriated a \$500,000 award from the Charlotte Executive Leadership Council to fund a two-phase study for developing a process to expand access to early childhood education for significantly more children in Mecklenburg County; and

WHEREAS, the County has engaged The Early Learning Policy Group/Committee on Economic Development as a consultant to assist in conducting the study and in designing an implementation plan for the County's Early Childhood Education initiative; and

WHEREAS, the County has formed and staffed an Early Childhood Education Initiative Advisory Committee to coordinate the effort to bring Universal Pre-K to Mecklenburg County; and

WHEREAS, other communities in the United States have implemented early childhood education programs, including in New York City, Denver, San Antonio, Salt Lake City, Seattle and Aspen, to name a few. While the programs in those communities vary in size and scope, the one common denominator is a community commitment to ensure that children have access to early childhood education experiences that will provide life-long benefits; and

NOW, THEREFORE, it is hereby

RESOLVED, that the Mecklenburg Board of County Commissioners supports the implementation of Early Childhood Education in Mecklenburg County for all resident children from birth to five (5) years of age; and it is further

RESOLVED, that Mecklenburg County will implement Early Childhood Education through extensive community engagement, and will develop and advance a community vision for early childhood education in Mecklenburg County, including identifying reliable funding mechanisms and developing a phased implementation plan.

The Clerk is directed to publish this resolution, and to send copies to each member of the Mecklenburg Delegation to the North Carolina General Assembly, to the North Carolina Association of County Commissioners, and to the Board of County Commissioners for each county in the State of North Carolina.

Comments

Commissioner Puckett said he agreed with Commissioner Fuller with respect to the importance of early childhood education but thought the adoption of the resolution as presented was “premature.” He suggested the Board wait until it received the findings from the study with respect to this issue. He also expressed concern for the potential cost associated with the proposal. Commissioner Puckett said it was important for the Board to determine how an early childhood education opportunity could be provided to families that could not afford it on their own, but he questioned the use of the term “all” children in Mecklenburg County from birth to age five. Commissioner Puckett said he did not feel the Board was in a position at this time to use the term “implement” as referenced in the proposed resolution.

Commissioner Dunlap said he agreed with Commissioner Puckett to a degree but did not want the Board to lose sight of the intent of the proposal. He suggested Commissioner Fuller consider amending the resolve paragraph.

Commissioner Ridenhour said it was a “worthy” goal but “premature” to ask that action be taken at this time.

Commissioner Leake spoke in support of the resolution and elaborated on the importance of educating children.

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Commissioner Clarke offered a friendly amendment to the resolution and suggested combining the two resolve paragraphs into one.

Commissioner Cotham expressed concern for the use of the term “implementation.” She said the resolution as presented was “premature” since the Board had not received the findings of the study regarding this issue yet.

Commissioner James expressed concern for the use of the term “implementation.” He said additional information was needed before the Board could agree on implementation. He said the Board could adopt the proposal in concept.

Commissioner Clarke offered a revised friendly amendment to the resolution which was accepted by the makers of the motion. The amendment was for the deletion of the use of the term “implementation” noted in the resolve paragraphs, as well as, to combine the two resolve paragraphs into one. The resolve paragraph would read as follows: *RESOLVED, that the Mecklenburg County Board of Commissioners supports early childhood education in Mecklenburg County for all resident children from birth to age five (5) and developing and advancing a community vision for early childhood education, including identifying reliable funding mechanisms and developing a phased plan for achieving that community vision.*

Note: The above is not inclusive of every comment but is a summary.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt, as amended, a resolution entitled: A Resolution Declaring That The Mecklenburg Board of County Commissioners Supports Early Childhood Education For All Children From Birth to Age Five In Mecklenburg County.

**A RESOLUTION DECLARING THAT
THE MECKLENBURG BOARD OF COUNTY COMMISSIONERS
SUPPORTS EARLY CHILDHOOD EDUCATION FOR ALL CHILDREN FROM BIRTH TO AGE FIVE
IN MECKLENBURG COUNTY**

WHEREAS, only 40% of third grade children in Mecklenburg County read proficiently, according to the National Center on Education Statistics, and only a small proportion of children in the County receive any kind of early childhood education; and

WHEREAS, third grade reading proficiency is a key economic mobility indicator; and

WHEREAS, children who are not reading proficiently by the third grade are less likely to succeed academically, graduate from high school, or be ready to succeed in college and in careers; and

WHEREAS, the evidence shows that increased third grade reading proficiency reduces rates of arrest and incarceration, reduces the use of social services, increases rates of employment, and increases likelihood of home ownership; and

WHEREAS, research indicates that the fastest rate of brain development occurs during a child’s earliest years, that high quality early childhood programs improve children’s cognitive, language, social, and emotional skills, and that children who enter school ready to learn have an improved approach to learning and an increased likelihood of reaching the middle class by age 40; and

WHEREAS, according to a study by the Brookings Institution, pre-school attendance ranks among the strongest success factors that influence the school-readiness of children from low-income families. In fact, children who attend some form of pre-school at age four are nine percentage points more likely to be school-ready than other children; and

WHEREAS, ensuring access to high quality early childhood education for children has proven to be one of the soundest educational investments the public can make, providing demonstrated, significant, and long-term

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savings in community costs for special education, grade retention, social services, and crime; and

WHEREAS, *universal access to high quality early childhood education in Mecklenburg County will help decrease achievement gaps, decrease generational poverty, and increase graduation rates of students in the County; and*

WHEREAS, *Mecklenburg County receives a total of \$46.24 million annually for child care subsidies from federal, state and local sources. Much of this funding is federal and supports child care subsidies for children ages birth to twelve. Smart Start (state) funds, totaling just over \$5 million, support child care subsidies for children birth to five years of age only; and*

WHEREAS, *Charlotte Mecklenburg Schools spends \$22.3 million on its Bright Beginnings program, which currently serves 2,850 four-year-old children. The County receives \$9.1 million in NC Pre-K funds, which serves 1,006 four-year-old children. Mecklenburg County only has 556 children in the Head Start program, with 659 children on the waiting list; and*

WHEREAS, *there are 69,790 children ages birth to five years old in Mecklenburg County, and the funds received by the County currently enable only 3,774 children from birth to five years of age to be served by Mecklenburg’s child care subsidy program and 2,663 children ages birth to five remain on the county’s waiting list for child care subsidy; and*

WHEREAS, *on November 1, 2016, the Mecklenburg Board of County Commissioners recognized, received and appropriated a \$500,000 award from the Charlotte Executive Leadership Council to fund a two-phase study for developing a process to expand access to early childhood education for significantly more children in Mecklenburg County; and*

WHEREAS, *the County has engaged The Early Learning Policy Group/Committee on Economic Development as a consultant to assist in conducting the study and in designing an implementation plan for the County’s Early Childhood Education initiative; and*

WHEREAS, *the County has formed and staffed an Early Childhood Education Initiative Advisory Committee to coordinate the effort to bring Universal Pre-K to Mecklenburg County; and*

WHEREAS, *other communities in the United States have implemented early childhood education programs, including in New York City, Denver, San Antonio, Salt Lake City, Seattle and Aspen, to name a few. While the programs in those communities vary in size and scope, the one common denominator is a community commitment to ensure that children have access to early childhood education experiences that will provide life-long benefits; and NOW, THEREFORE, it is hereby*

RESOLVED, *that the Mecklenburg County Board of Commissioners supports early childhood education in Mecklenburg County for all resident children from birth to age five (5) and developing and advancing a community vision for early childhood education, including identifying reliable funding mechanisms and developing a phased plan for achieving that community vision.*

The Clerk is directed to publish this resolution, and to send copies to each member of the Mecklenburg Delegation to the North Carolina General Assembly, to the North Carolina Association of County Commissioners, and to the Board of County Commissioners for each county in the State of North Carolina.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

Commissioner Dunlap left the dais and was away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3657 MECKLENBURG COUNTY WASTE MANAGEMENT ADVISORY BOARD (WMAB) -

AMENDMENT TO BYLAWS

Approve an amendment to the Bylaws of the Waste Management Advisory Board.

A copy of the amended by-laws is on file with the Clerk to the Board.

16-3677 LAND EXCHANGE - WESTMORELAND REGIONAL PARK

Adopt a resolution authorizing the County Manager to negotiate and execute all documents necessary to exchange a portion of County owned Tax Parcel 005-071-12A (±958 square feet) for a portion Tax Parcel 005-071-22 (±958 square feet) owned by Westmoreland Lake LLC.

Note: The developer of The Preserve at Robbins Park and the Town of Cornelius approached the County about an exchange of property at Westmoreland Regional Park to accommodate the location of a shared storm water structure.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
AUTHORIZING THE EXCHANGE A PORTION OF TAX PARCEL 005-071-12A AT 8520 ROBBINS CRESCENT DRIVE IN CORNELIUS FOR A PORTION OF TAX PARCEL 005-071-22 AT ROBBINS CRESCENT DRIVE IN CORNELIUS**

WHEREAS, the County owns Tax Parcel 005-071-12A at 8520 Robbins Crescent Drive in Cornelius, a portion of which is proposed for conveyance to Westmoreland Lake LLC (hereinafter referred to as the "County Parcel"); and

WHEREAS, Westmoreland Lake LLC ("Westmoreland") owns Tax Parcel 005-071-22, a portion of which is proposed for conveyance to Mecklenburg County (hereinafter referred to as "Westmoreland Parcel"); and

WHEREAS, Westmoreland desires to obtain the County Parcel to ensure that the storm water feature is entirely contained on its property; and

WHEREAS, as proposed by Westmoreland, the County will receive the Westmoreland Parcel (±958 square feet) and Westmoreland will receive the County Parcel (±958 square feet); and

WHEREAS, Westmoreland had the County Parcel and Westmoreland Parcel appraised and there was no difference in value; and

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in its opinion the County will receive full and fair consideration for the County Parcel to be conveyed; and

WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of the County Parcels for the Westmoreland Parcel and to follow the statutory procedure to authorize the exchange; and

WHEREAS, pursuant to G.S. 160A-271, the Board approved a resolution stating its intent to authorize the exchange of the County Parcel for the Westmoreland Parcel and authorized publication of a notice of such intent, which notice was published in The Charlotte Observer December 9, 2016 as required by law; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby authorizes the exchange of the County Parcel for the Westmoreland Parcel to Westmoreland Lake, LLC, authorizes the County Manager to negotiate and execute the deed and any other documents necessary to effectuate the exchange.

Resolution recorded in full in Ordinance/Minute Book _____, Documents # _____.

16-3681 STORM WATER PROGRAM - FY17 HAZARD MITIGATION FLOODPLAIN
ACQUISITION

1. Accept the Offer of Sale of Real Estate from JEK Asset Management Inc., owner of property

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located at 732 Prince Street, Charlotte, NC (tax parcel 069-071-07), for \$61,000.

2. Accept the Offer of Sale of Real Estate from Keith & Ann Hollis, owners of property located at 748 Seldon Drive, Charlotte, NC (tax parcel 069-051-14) for \$100,000.

3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested actions will consist of acquiring and demolishing the existing residences using County Storm Water Services capital funds. This will serve the dual functions of removing the buildings and occupants from flood risk while securing property needed for construction of the Historic Stewart Creek Enhancement Project.

16-3683 CAPITAL RESERVE EXPENDITURE REQUEST (PARK AND RECREATION)

Authorize and appropriate expenditure of \$52,462.10 from the Consolidated Aquatic Capital Reserve Fund to install sound, telecom and video equipment throughout the Mecklenburg County Aquatic Center.

16-3684 RIGHT-OF-WAY ABANDONMENT AND DEDICATION - SAMPLE ROAD

1. Authorize the County Manager to execute all documents necessary to file a Right-of-Way Abandonment petition with the North Carolina Department of Transportation (NCDOT) requesting abandonment of maintenance of a portion of Sample Road (± 2.44 acres) in Mecklenburg County along Tax Parcels 023-201-02, 023-071-01 and 023-201-01 known as Latta Plantation Nature Preserve.

2. Authorize the County Manager to execute all documents necessary to file a Right-of-Way Dedication petition with the North Carolina Department of Transportation (NCDOT) requesting acceptance of a portion of Tax Parcel 023-071-01 (± 0.086 acres) for maintenance as part of Sample Road.

Note: The County is planning to construct a new visitors center at Latta Plantation Nature Preserve that is expected to be completed by spring of 2018. A primary function of the new facility will be to provide a formal entry to visitors as they enter the nature preserve. To accommodate this function, the visitors center is proposed to be located forward of the existing gate closer to the edge of the property the County currently owns. Because this places the facility outside the existing gate, a new gate is planned along Sample Road to signify the entrance of the nature preserve and to allow the new visitors center to be located within a gated portion of the nature preserve at times when the park is closed to the public. Currently, the County maintains the portion of the road leading into Latta Plantation Nature Preserve that is located beyond the entrance gate. Since the new visitors center will be located forward of the existing gate, Park and Recreation would like to have NCDOT abandon maintenance on ± 2.44 acres of Sample Road. This area, once abandoned, will be maintained by the County and the current gate will be relocated to the point where NCDOT maintenance of Sample Road will end once abandonment is approved by NCDOT.

16-3688 LAND EXCHANGE - BRIAR CREEK PROPERTY

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Adopt a resolution authorizing the exchange of a portion of County owned Tax Parcel 129-024-09 (+/- 1,250 square feet) for a portion of Tax Parcel 129-024-08 (+/- 1,250 square feet).

Note: The exchange will allow NR Morningside Property Owner I, LLC, to subdivide parcels 129-024-10 and 129-024-11 into three lots for future single family residential development. The exchange does not negatively impact the County’s future use of its property along Briar Creek

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
AUTHORIZING THE EXCHANGE A PORTION OF TAX PARCEL 129-024-09 IN THE MORNINGSIDE NEIGHBORHOOD OF
CHARLOTTE FOR A PORTION OF TAX PARCEL 129-024-08 IN CHARLOTTE**

WHEREAS, the County owns Tax Parcel 129-024-09 located along Briar Creek in the Morningside neighborhood of east Charlotte, and NR Morningside Property Owner I, LLC owns the adjacent Tax Parcel 129-024-10 and will obtain ownership of a portion of Tax Parcel 129-024-08, both in the same neighborhood and located on either side of County owned Tax Parcel 129-024-09; and

WHEREAS, NR Morningside Property Owner I, LLC desires to obtain 1,250 SF of County owned Tax Parcel 129-024-09 (hereinafter referred to as the “County Exchange Parcel”) in exchange for 1,250 SF of Tax Parcel 129-024-08 (hereinafter referred to as “NR Morningside Exchange Parcel”) that it will obtain ownership of, so that it can add the County Exchange Parcel to Tax Parcel 129-024-10 for development of single family residential lots; and

WHEREAS, the County’s Park and Recreation Department and Storm Water Services reviewed the proposed exchange and determined that exchanging the properties does not negatively impact the County’s future use of its property along Briar Creek; and

WHEREAS, the County Exchange Parcel and the NR Morningside Exchange Parcel were appraised and both were valued at \$7,500; and

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in its opinion the County will receive full and fair consideration for the County Exchange Parcel to be conveyed to NR Morningside Property Owner, LLC; and

WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of the County Exchange Parcel for the NR Morningside Exchange Parcel and to follow the statutory procedure to authorize the exchange; and

WHEREAS, pursuant to G.S. 160A-271, the Board approved a resolution declaring its intent to authorize the exchange of the County Exchange Parcel for the NR Morningside Exchange Parcel and authorized publication of a notice of such intent, which notice was published in The Charlotte Observer on December 9, 2016 as required by law, now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby authorizes the exchange of the County Exchange Parcel for the NR Morningside Exchange Parcel and authorizes the County Manager to execute the deed and any other documents necessary to effectuate the exchange.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

16-3691 EASEMENT DONATION - MCDOWELL CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of permanent greenway easements on the following Tax Parcels for the future construction of a portion of McDowell Creek Greenway trail:

- | | |
|------------|---|
| 009-041-06 | Janice & Thomas Roberts, Kerry & Stuart Poe, Todd & Amber Roberts |
| | Option A ±2.776 Acres Option B ±1.203 Acres |
| 009-051-09 | Vickey & James Davis, Samuel & Sandra Pender |
| | Option A ±1.803 Acres Option B n/a |

009-051-10	Janice & Thomas Roberts, Kerry & Stuart Poe, Todd & Amber Roberts Option A ±0.49 Acres	Option B n/a
009-051-11	Deborah Draughn	Option A ±0.478 Acres Option B n/a
009-051-12	Janice & Thomas Roberts, Kerry & Stuart Poe, Todd & Amber Roberts Option A ±0.391 Acres	Option B n/a
009-051-13	Janice & Thomas Roberts, Kerry & Stuart Poe, Todd & Amber Roberts Option A ±0.711 Acres	Option B ±0.397 Acres
009-051-14	Janice & Thomas Roberts, Kerry & Stuart Poe, Todd & Amber Roberts Option A ±1.614 Acres	Option B ±0.43 Acres
009-051-15	Janice & Thomas Roberts, Kerry & Stuart Poe, Todd & Amber Roberts Option A ±1.519 Acres	Option B ±0.404 Acres
009-051-16	Ronald & Penelope Brown, Sugenia Wells Option A ±0.856 Acres	Option B ±0.148 Acres

16-3692 EASEMENT DONATION - MALLARD CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of permanent greenway (±11.177 acres) and access (±3.487 acres) easements on Tax Parcel 047-131-04 and an access trail easement (±0.723 acres) on Tax Parcel 047-131-07 for the future paving of a portion of Mallard Creek Greenway trail and associated access trails and construction of a new access trail.

Note: The donation was from Summit Avenue URP LLC.

16-3695 CAPITAL RESERVE EXPENDITURE REQUESTS (PARK AND RECREATION)

Approve expenditures from Park and Recreation Capital Reserve accounts as listed below:

1. Freedom Park Capital Reserve: \$55,000 to replace benches and water fountains, additional concrete work and roofing repairs.
2. Ramsey Creek Park Capital Reserve: \$30,000 for asphalt repairs to parking lot.
3. Jetton Park Capital Reserve: \$40,000 for rebuilding the sewer lift station and replacing the backup generator for the lift station.
4. Blythe Landing Park Capital Reserve: \$16,500 for replacement of backup generator to sewer lift station.

16-3697 TAX REFUNDS

- 1) Approve refunds in the amount of \$8,000.34 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting

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from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$124,770.51 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$524.21.

A list of the taxpayer recipients is on file with the Clerk to the Board.

16-3698 MINUTES

Approve Minutes of Regular meeting held December 6, 2016.

16-3702 APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 to designate Jennifer Sandoval as a Review Officer and to delete Richard B. Hobbs.

**AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS
TO REVIEW EACH MAP AND PLAT RECORDED IN THE
REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2**

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Jennifer Sandoval is hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add this name.

2. Richard B. Hobbs be deleted from the Resolution adopted on September 16, 1997.

Resolution recorded in full in Ordinance/Minute Book _____, Document #_____.

**16-3705 BUDGET AMENDMENT - SHERIFF'S OFFICE - AUTOMATED SEX OFFENDER
MONITORING SYSTEM GRANT AWARD (REVENUE INCREASE)**

Recognize, receive and appropriate funds from the N.C. Department of Public Safety, Governor's Crime Commission, in the amount of \$24,052.

Note: The grant award from the Governor's Crime Commission will provide funding to replace the Automated Sex Offender Monitoring System (ASOM).

16-3717 MINT HILL VOLUNTEER FIRE DEPARTMENT EXPANSION & RENOVATION

Adopt a resolution submitted by the Mint Hill Volunteer Fire Department approving the incurrence by the Mint Hill Volunteer Fire Department of up to \$1,000,000.00 indebtedness from BB&T for renovations to the Fairview Road fire station.

Note: This action does not obligate the County in anyway.

**Resolution Approving the Financing by Mint Hill Volunteer Fire Department
Of up to \$1,000,000.00 for the Financing of Renovations to the Fairview Road Fire Station**

WHEREAS: Mint Hill Volunteer Fire Department, Inc. has determined to finance an amount of up to \$1,000,000.00 for renovations to the Fairview Road fire station. The United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing. The Fire Department has held a public hearing on the financing after published notice, as required by the Code. The Fire Department has reported the proceedings of such hearing to this Board.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Mecklenburg County, North Carolina, as follows:

The County approves the Fire Department's entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The Fire Department's conduct of the required public hearing is approved.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

**16-3723 SOFTWARE LICENSING AGREEMENT - VIRTUAL DESKTOP
INFRASTRUCTURE (VDI)**

Authorize the County Manager to amend the County’s contract with VMWare (via Dell Marketing LP) to enter into a new five-year software licensing payment plan.

Note: VMWare provides software that is used to provide remote access to County applications. The VMWare software is used across the enterprise by all of the County departments. VMWare software is also used to manage mobile devices, laptops, and tablets. The management of the devices allows us to secure federally protected data, remotely wipe a device of data if the device is lost or stolen, as well as locate a missing/stolen device.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

**16-3672 GRANT APPLICATION: NORTH CAROLINA GRANT FOR VETERANS SERVICES
PROGRAM**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application in the amount of \$2,000 from North Carolina for Veterans Services Programs and if awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness.

16-3680 LEASE AGREEMENT FOR REPLACEMENT LATTA PLANTATION NATURE CENTER

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

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- 1) Adopt the following resolution: Resolution approving lease agreement with the Carolina Raptor Center for use of a portion of a replacement Latta Plantation Nature Center.
- 2) Amend the FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance as adopted December 6, 2016.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING
A LEASE AGREEMENT WITH THE CAROLINA RAPTOR CENTER
FOR USE OF A PORTION OF A REPLACEMENT LATTA PLANTATION NATURE
CENTER**

WHEREAS, the Carolina Raptor Center, Inc., ("CRC") has since 1982 operated a nonprofit raptor rehabilitation, environmental center, education, and outreach program (the "Raptor Center") designed to enrich the community, and since 1984 has leased 57.322 acres of County property in Latta Plantation Nature Preserve (LPNP), on which it has constructed, as part of the Raptor Center, a small visitors' and education center which has become too small for its intended purposes as the number of visitors to the Raptor Center has increased over the years; and

WHEREAS, the County operates a small nature and visitors' center at LPNP which has become too small for its intended purposes as the number of visitors to the LPNP has increased over the years since it was constructed; and

WHEREAS, the County and CRC initiated an innovative collaboration to bring together CRC and County resources to be located in a new County owned Latta Plantation Nature Center; and

WHEREAS, the County has developed plans to construct and equip a new Latta Plantation Nature Center (the "Center") on the County owned LPNP for use by both the County and CRC, and to be known, at least initially, as "Quest"; and

WHEREAS, the County wishes to (i) lease to the CRC portions of the Center for its exclusive use, (ii) reserve other portions of the Center for exclusive County use, and (iii) establish for CRC and County nonexclusive rights to use the remainder of the Center in common; and

WHEREAS, the County plans to use the Center for uses such as the following: staff offices; nature-based programs for all ages; animal exhibits; hosting community meetings and special events; operating summer camps; and a place for visitors to sign up for outdoor recreation programs such as kayaking, Segway use, stand up paddle boarding; and

WHEREAS, the CRC plans to use the Center for uses such as the following: staff offices and break room; formal and informal education programs; live bird presentations; summer camps; community events, fundraising events; meetings including CRC Board of Directors meetings; gift shop operations including selling tickets to the Raptor Trail; the trailhead for the Raptor Trail and to generate any other earned income or fundraising activity for the benefit of CRC; and

WHEREAS, the CRC and the Mecklenburg County Park and Recreation Department have negotiated a Lease, Development and Operating Agreement which contains the following terms and conditions:

- I. Property to be leased: A portion of the replacement Latta Plantation Nature Center, consisting of approximately 18.5 % of the new Center, and an outdoor area of approximately 28 acres (the "Premises");
- II. Term: An initial term of twenty (20) years, with CRC to have options to renew for six (6) additional five (5) year terms;
- III. Payment: The CRC will provide \$1,000,000 toward construction costs (partly by providing donated construction materials), and pay eighteen and a half percent (18.5%) of the operating expenses; and

WHEREAS, on November 1, 2016, pursuant to G.S. 160A-272, the Board of Commissioners determined that the Premises will not be needed by the County for the proposed term of the Lease and adopted a Resolution of Intent to enter into a Lease, Development and Operating Agreement with the CRC, a notice of which was advertised in The Charlotte Observer for upset bids on November 4, 2016; and

WHEREAS, since no upset bid was presented to the County, pursuant to G.S. 160A-272 and G.S. 160A-279, the Board of Commissioners proposes to accept the offer as more fully contained in a proposed Lease, Development

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and Operating Agreement for the replacement Latta Plantation Nature Center as presented to the Board at its December 20, 2016 meeting; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners approves the proposed Lease, Development and Operating Agreement for the replacement Latta Plantation Nature Center as presented to the Board at its December 20, 2016 meeting, and authorizes the County Manager to execute such document in substantially the form presented to the Board.

Resolution/Agreement recorded in full in Ordinance/Minute Book _____, Document # _____.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance as adopted December 6, 2016 by:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY OF DECEMBER 2016:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects:
See attached Exhibit A

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$153,304,856 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2014-2016 fiscal years	\$50,500,000
2017 fiscal year	67,292,790
2018 fiscal year	26,589,000
2019 fiscal year	2,687,110
NCDOT Funding	4,154,000
NC grant	1,000,000
Other Revenue	1,081,956

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Commissioner Leake removed this item from Consent for more public awareness.

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____.

Commissioner Dunlap returned to the dais.

16-3682 ENGINEERING CONSULTANT SELECTION - BUILDING COMMISSIONING

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute contracts as it relates to Building Commissioning for Morrison Library Renovation, MEDIC Relocation and Valerie C. Woodard Renovation with the number one ranked firms indicated below, and in the

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event negotiations with any of these firms are unsuccessful, approve negotiations with the alternate firm as indicated:

Morrison Library Renovation

#1 ranked firm: Affiliated Engineers
Alternate: McCracken Lopez

MEDIC Relocation

#1 ranked firm: Hanson Professional Services Inc.
Alternate: McCracken Lopez

Valerie C. Woodard Center Renovation

#1 ranked firm: Building EnergetiCx
Alternate: McCracken Lopez

Note: Building Commissioning is the process of verifying all of the subsystems for mechanical (HVAC), plumbing, electrical, fire suppression systems, life safety systems, building envelopes, interior systems utility plants, sustainable systems, lighting, wastewater, building system automation controls, and building security, achieve the project requirements as intended by the building owner and as designed by the design architects and engineers.

Commissioner Leake removed this item from Consent for more public awareness.

16-3685 BUDGET AMENDMENT - CRIMINAL JUSTICE SERVICES (JCPC)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the reallocation of funds as recommended by the Juvenile Crime Prevention Council in the following amounts:

- 1) DASH Mentoring \$16,250.00
- 2) DASH Strengthening Families \$3,900.00
- 3) GAP \$5,281.00
- 4) SHIFT Restitution \$37,339.00
- 5) Tresports \$13,551.00

Note: The Juvenile Crime Prevention Council (JCPC) would reallocate approximately \$76,321 in funding that became available as a result of a service discontinuation from the GEMS program. The JCPC received requests for additional funding from four existing programs 1) DASH 2) GAP 3) SHIFT 4) Tresports.

Commissioner Leake removed this item from Consent for more public awareness.

16-3686 MARION DIEHL CENTER - NCDOT GRANT FOR SIGNAL AND INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

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1. Approve Mecklenburg County as a recipient for an NCDOT Grant for Transportation Improvements to the Marion Diehl Center to fund the construction of a signal and associated road improvements on Tyvola Road at the entrance to the Queens University facilities and the access to the Little Sugar Creek Greenway trailhead (NCDOT U-5107)
2. Authorize the County Manager to execute the grant agreement
3. Recognize and appropriate funds as awarded from NCDOT and City of Charlotte for the grant period
4. Adopt the Resolution Approving Transportation Improvements to Marion Diehl Center Interlocal Agreement between the City of Charlotte and Mecklenburg County to assist with funding, the design and construction of a signal light and the associated road improvements on Tyvola Road at the entrance to the Queens University facilities, and the access to the Little Sugar Creek Greenway trailhead.

**MECKLENBURG BOARD OF COUNTY COMMISSIONERS
RESOLUTION APPROVING
TRANSPORTATION IMPROVEMENTS TO THE MARION DIEHL CENTER
INTERLOCAL AGREEMENT
BETWEEN MECKLENBURG COUNTY AND CITY OF CHARLOTTE**

WHEREAS, N.C. Gen. Stat. § 160A-461, “Interlocal Cooperation Authorized,” authorizes units of local governments to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, Queens University received an NCDOT grant (NCDOT U-5107) for Transportation Improvements to the Marion Diehl Center which includes construction funding for a signal and associated road improvements on Tyvola Road at the entrance to the Queens University facilities and at an access to the Little Sugar Creek Greenway trailhead (hereafter “PROJECT”); and

WHEREAS, Queens University cannot administer an NCDOT project because it is not a public entity; and

WHEREAS, the City of Charlotte and the County have agreed to partner in the construction of the PROJECT; and

WHEREAS, Mecklenburg County has agreed to administer the grant for Transportation Improvements to the Marion Diehl Center (NCDOT U-5107); and

WHEREAS, the City has agreed to provide design services for the PROJECT and provide the \$156,000.00 match for the grant (“County Reimbursement Amount” in the County’s agreement with NCDOT for the PROJECT); and

WHEREAS, the County and the City have negotiated the Transportation Improvements to the Marion Diehl Center Interlocal Agreement (the “Agreement”) which Agreement specifies the details and financing of transportation improvements to the Marion Diehl Center; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement “...shall be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the **TRANSPORTATION IMPROVEMENTS TO THE MARION DIEHL CENTER INTERLOCAL AGREEMENT** between Mecklenburg County and the City of Charlotte in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Commissioner Leake removed this item from Consent for more public awareness.

Resolution/Agreement recorded in full in Ordinance/ Minute Book _____, Document # _____.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a grant application of up to \$30,000 for a Charlotte Observer Summer Camp grant; and if awarded, recognize and appropriate such funds for the grant period for full summer camp scholarships for qualifying at-risk youth.

Note: The Urban Outdoor Connection program through Park and Recreation offers free and reduced programs for qualifying urban and at-risk youth in Mecklenburg County. Over the last 3 years, Park and Recreation has received a grant from The Charlotte Observer Summer Camp program.

Commissioner Leake removed this item from Consent for more public awareness.

16-3700 DONATION FROM GILES FOUNDATION FOR SHAMROCK SENIOR CENTER

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to accept and appropriate a donation in the amount of \$5,000 from the Giles Foundation for the refugee program at the Shamrock Senior Center.

Commissioner Leake removed this item from Consent for more public awareness. Commissioner Leake requested a report on the status of the accessibility of activities for seniors at the Shamrock Senior Center. Commissioner Leake said she’d received complaints from seniors.

ADJOURNMENT

Motion was made by Commissioner Ridenhour, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:42 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair